# REPORT TO THE BOARD OF GOVERNORS

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<th>BOARD POLICY DESIGNATION OF RESPONSIBLE EXECUTIVES</th>
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Forwarded on the Recommendation of the President

**APPROVED FOR SUBMISSION**

Santa J. Ono, President and Vice-Chancellor

| DECISION REQUESTED | IT IS HEREBY REQUESTED that the Governance Committee recommend that the Board of Governors approve changes to the policies listed in Schedule “C” in the form set out in Schedule “D”, as attached to the report. |

Report Date | August 15, 2019

Presented By | Hubert Lai, Q.C., University Counsel

## EXECUTIVE SUMMARY

For each Board Policy, the President designates one or more members of the UBC Executive (which may include the President) as having primary responsibility for the implementation and administration of the Board Policy and any associated Procedures and Rules (the “Responsible Executive”). A complete review of these designations has been completed and changes have been identified in connection with the following:

1. For a number of years, as Board Policies were updated, an effort was made to move away from the practice of assigning responsibility expansively to a large number of Responsible Executives. This was intended to reduce risk of the diffusion of responsibility and accountability. The review accelerated that process by enabling us to look at this across all Board Policies, not only those that were undergoing full reviews.

2. A number of assignments did not accurately reflect UBC’s organizational structure. For example, the Vancouver Archives Policy (Policy GA5 University Archives at UBC Vancouver) had been assigned to the Vice-President Students, because at the time, the UBC Library, which is responsible for the archives, reported to that Vice-President. That is no longer the case. Another example is the recent realignment of titles as between Dr. Buszard and Dr. Mukherjee Reed. In respect of this recent realignment of titles, the Office of the University Counsel has reviewed existing Board Policies to determine whether consequential changes are required to reflect such realignment and recommends that a number of the Board Policies include the Provost and Vice-President Academic (UBC Okanagan) or shift responsibilities as between the Deputy Vice-Chancellor and Principal (UBC Okanagan) and the Provost and Vice-President Academic (UBC Okanagan). The need for further adjustments may arise as the Office of the Provost and Vice-President Academic (UBC Okanagan) develops and, if such need arises, the appropriate changes will be considered and addressed as and when necessary.

3. A large number of titles had evolved since the designations had originally been made, in some cases, more than once, so this represented an opportunity to update those as well. For example, there were various references to the “Vice-President Research”, the “Vice-President Research and International”, and the “Vice-President Research and Innovation.”
4. There were inconsistencies in the formatting of titles. For example, some Board Policies referred to “Vice President” while others refer to “Vice-President”. The applicable references should be updated to the following, consistent format: “Vice-President [insert applicable title]”.

5. Certain Board Policies refer to the College of Health Disciplines and the College of Interdisciplinary Studies. As these Colleges no longer exist, the Board Policies should be updated to remove references to such Colleges.

6. As part of the review of Board Policies to determine changes necessary to reflect the realignment of titles as between Dr. Buszard and Dr. Mukherjee Reed, the President reviewed the Acting President Policy (GA1) and recommends that the Provost and Vice-President Academic (UBC Okanagan) and the Vice-President Health be included in the succession line for an acting President in the event that the sitting President is absent or unable to act. The proposed succession line is the following: (1) Provost and Vice-President Academic (UBC Vancouver), (2) Vice-President Health, (3) Deputy Vice-Chancellor and Principal (UBC Okanagan), (4) Provost and Vice-President Academic (UBC Okanagan), (5) Vice-President Finance and Operations, (6) Vice-President Research and Innovation, (7) Vice-President Students, (8) Vice-President Human Resources, (9) Vice-President External Relations, and (10) Vice-President Development and Alumni Engagement.

The President has approved the new designations of Responsible Executives. A list of each Board Policy and the Responsible Executive(s) for each Board Policy is set out in Schedule “A” to this docket.

Some of the designations of, and references to, Responsible Executives are hard-coded into some of the Board Policies and into the Procedures to various Board Policies. The President is authorized to amend these Procedures provided that the amendments are reported to the Board. A list of the Procedures where changes have been approved by the President to reflect the above-noted items is set out in Schedule “B” to this docket. The Board Policies can only be amended by the Board of Governors. A list of the Policies where changes are recommended is set out in Schedule “C” to this docket. Black-lined copies of each of the documents listed in Schedule “B” and Schedule “C” are included as Schedule “D” to this docket.

Note: There are four Board Policies that are joint Board and Senate policies as follows: the Deans Appointment Policy (AP5 – Appointment of Deans and Principals (Joint Senate and Board Policy)); the Registrar/Librarians Appointment Policy (AP11 – Appointment of Registrar and Librarians (Joint Senate and Board Policy)); the Academic Administrators Appointment Policy (AP12 – Appointment of Designated Senior Academic Administrators (Joint Senate and Board Policy)); and the Disability Accommodation Policy (LR7 – Accommodation for Students with Disabilities). Changes to the Deans Appointment Policy are included in a separate docket dealing with additional substantive amendments to this Policy and to the Deans Extension Policy (AP8 – Extension of Appointments for Deans). That docket has been provided separately to the Board’s Employee Relations Committee for information and input. Assuming that the recommended changes to the Registrar/Librarians Appointment Policy, the Academic Administrators Appointment Policy, and the Disability Accommodation Policy are approved by the Board, these changes will also have to be approved by the Senates before becoming effective.

Attachments
1. Schedule A: Board Policy and Responsible Executive(s) List
2. Schedule B: List of Procedures with Changes Approved by the President
3. Schedule C: List of Policies with Recommended Changes
4. Schedule D: Black-lined copies of the documents listed in Schedule B and Schedule C
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<td>85</td>
<td>Deaccession of Works of Art and/or Cultural Materials for the Morris and Helen Belkin Art Gallery, the University Library, and the Museum of Anthropology</td>
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<td>Land Use, Permitting and Sustainability</td>
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<td>87</td>
<td>Religious Holidays (#65)</td>
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<td>Vice-President, Students</td>
<td>N/A</td>
</tr>
<tr>
<td>88</td>
<td>Travel Assistance for Graduate Students (#79)</td>
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<td>Vice-President, Finance and Operations</td>
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<td>N/A</td>
<td>Vice-President, Finance and Operations</td>
<td>N/A</td>
</tr>
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<td>Entertainment (#84)</td>
<td>N/A</td>
<td>Vice-President, Finance and Operations</td>
<td>N/A</td>
</tr>
<tr>
<td>91</td>
<td>Gifts (#115)</td>
<td>N/A</td>
<td>Vice-President, Finance and Operations</td>
<td>N/A</td>
</tr>
</tbody>
</table>
LIST OF PROCEDURES WITH CHANGES APPROVED BY THE PRESIDENT

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2. Academic Administrators Extension Policy (AP6)
3. Academic Heads Policy (AP9)
4. Registrar/Librarians Appointment Policy (AP11)
5. Academic Administrators Appointment Policy (AP12) – Policy changes not effective until both Board and Senate approvals are received
6. Registrar/Librarians Extension Policy (AP13)

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8. Fundraising Policy (FM6)
9. Contract Employees Fund Policy (FM7)
10. Retained Risk Policy (FM10)
11. Capital Projects Policy (FM11)

Governance and Administration

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Human Resources

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Learning, Research, and Innovation

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19. Research Policy (LR2)
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21. Research Grants Policy (LR5)
22. Killam Professors Policy (LR6)
23. Technology Equity Policy (LR8)
24. Inventions Policy (LR11)

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25. Health and Safety Policy (SC1)
26. Environmental Protection Policy (SC4)
27. Snow Policy (SC5)
28. Disaster Management Policy (SC10)
29. Students Abroad Policy (SC12)
30. At-Risk Behaviour Policy (SC13)

Use of Property (Lands, Facilities, Materials, Intangible Property)

31. Vending Machine Policy (UP4)
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33. Deaccessioning Policy (UP11)
LIST OF POLICIES WITH RECOMMENDED CHANGES

Appointments and Extensions

1. Academic Administrators Extension Policy (AP6)
2. Academic Heads Policy (AP9)
3. Registrar/Librarians Appointment Policy (AP11) – Policy changes not effective until both Board and Senate approvals are received
4. Academic Administrators Appointment Policy (AP12) – Policy changes not effective until both Board and Senate approvals are received
5. Registrar/Librarians Extension Policy (AP13)

Financial Management

5. Purchasing Policy (FM2)

Governance and Administration

6. Acting President Policy (GA1)
7. Records Management Policy (GA4)
8. Naming Policy (GA6)

Human Resources

9. Relocation Policy (HR6)
10. Non-Union Compensation Policy (HR12)

Learning, Research, and Innovation

11. Tuition Consultation Policy (LR4)
12. Disability Accommodation Policy (LR7) – Policy changes not effective until both Board and Senate approvals are received
13. Financial Aid Policy (LR10)

Safety, Conduct, and Environment

14. Scholarly Integrity Policy (SC6)
15. Discrimination Policy (SC7)
16. Wireless Network Policy (SC11)
17. Financial Investigations Policy (SC15)

Use of Property (Lands, Facilities, Materials, Intangible Property)

18. Communication Services Policy (UP1)
19. Charitable Appeals Policy (UP2)
20. Equipment/Services Use Policy (UP5)
21. Space Rental Policy (UP9)
22. Advertising Policy (UP10)
COPIES OF BLACKLINED POLICIES AND PROCEDURES

Legend:
Documents listed in black – both the Policy and the associated Procedures contain changes
Documents listed in blue – only the Procedures contain changes
Documents listed in red – only the Policy contains changes

Appointments and Extensions
1. Retired Faculty Appointment Policy (AP1)
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Governance and Administration
13. Acting President Policy (GA1)
14. Regulatory Framework Policy (GA2)
15. Records Management Policy (GA4)
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21. Honorifics Policy (LR1)
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30. Health and Safety Policy (SC1)
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40. Communication Services Policy (UP1)
41. Charitable Appeals Policy (UP2)
42. Vending Machine Policy (UP4)
43. Equipment/Services Use Policy (UP5)
44. Space Rental Policy (UP9)
45. Advertising Policy (UP10)
46. Deaccessioning Policy (UP11)
Background & Purposes:

A Faculty Member’s decision to retire from the University is voluntary, and may include retirement before or after age 65. The normal retirement date for Faculty Members is the June 30th or December 31st following the date upon which the Faculty Member turns age 65.

Retired Faculty Members make important contributions to their disciplines, their departments and to the University. Retired Faculty Members wishing to continue to engage with the University normally continue their relationship with the University through voluntary contributions without a University appointment; in other cases, the relationship is continued through a term appointment. This Policy sets out the circumstances in which a retired Faculty Member may be appointed to a position at the University and that the mechanism for doing so is outside of the normal appointment process.

1. For the purposes of this Policy, the term “retired Faculty Member” means a UBC tenure-stream faculty, librarian or program director retired from the University.

2. A retired Faculty Member may be appointed in accordance with this Policy:
   
   2.1 for a salaried appointment, for a renewable term of one year or less, or
   
   2.2 for a non-salaried appointment, for a renewable term of three years or less.

3. The appointment must provide a specific benefit for the unit or faculty, and the University.

4. Each appointment shall set out specific responsibilities in a letter of appointment. Responsibilities may include, but are not limited to:
   
   4.1 teaching;
   
   4.2 research and scholarly work;
   
   4.3 educational leadership;
   
   4.4 collection development; and/or
4.5 service including administrative responsibilities.

5. The University may terminate an appointment made pursuant to this Policy:

5.1 for a salaried or non-salaried appointment, without notice where there is cause for termination; or

5.2 for a non-salaried appointment, by providing at least one month written notice of termination; or

5.3 for a salaried appointment, by providing written notice of termination, or pay in lieu of notice, as set out in the Employment Standards Act or the letter of appointment, whichever is greater.

6. Unless otherwise set out in the letter of appointment, a retired Faculty Member holding a salaried or non-salaried appointment made pursuant to this Policy may resign from his or her appointment with two weeks written notice to the University, which may be waived by the University.

7. All reappointments under this Policy must be made in accordance with the same process and requirements as for appointment.
PROCEDURES ASSOCIATED WITH THE
RETIRED FACULTY APPOINTMENT POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Retired Faculty Appointment Policy.

1. Assignment of Responsible Executive

1.1 The Responsible Executive will be the Provost and Vice-President, Academic (UBC Vancouver) in relation to appointments of retired Faculty Members at UBC’s Vancouver campus.

1.2 The Responsible Executive will be the Provost and Vice-President, Academic Vice-Principal (UBC Okanagan) in relation to appointments of retired Faculty Members at UBC’s Okanagan campus.

2. Process of Appointment

2.1 All appointments made under this Policy must:

2.1.1 be recommended by the administrative head of an academic unit in which the appointment is proposed, to that Head’s immediate supervisor (for example, the Dean of the Faculty or the University Librarian);

2.1.2 be approved by the Responsible Executive; and thereafter

2.1.3 be made in accordance with Board Appointments Policy.

3. Letter of Appointment

3.1 Appointments made under this Policy must be confirmed in a letter of appointment, which may only be signed and delivered to the retired Faculty Member following the appointment being made pursuant to Section 2.1 of these Procedures.

3.2 For salaried appointments, the letter of appointment must confirm the terms and conditions of employment.

3.3 For without salary appointments, the letter of appointment must confirm the obligations and expectations.
4. Requirements of Appointment

4.1 The title used in the appointment must include the retired or emeritus status of the individual and reflect the rank held at the time of retirement.

4.2 The appointee’s acceptance of the letter of appointment must be in writing, a copy of which will be included with the Faculty Appointment Form.

4.3 Employment Advertising Policy does not apply to appointment of retired Faculty Members.
EXPLANATORY NOTES REGARDING THE RETIRED FACULTY APPOINTMENT POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Retired Faculty Appointments Policy. These Explanatory Notes do not replace or supersede the content of the Retired Faculty Appointments Policy and its Procedures.

<table>
<thead>
<tr>
<th>Policy Long Title:</th>
<th>Appointment of Retired Faculty Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy Short Title:</td>
<td>Retired Faculty Appointment Policy</td>
</tr>
<tr>
<td>Policy Number:</td>
<td>AP1</td>
</tr>
<tr>
<td>Responsible Executive:</td>
<td>Provost and Vice-President, Academic (UBC Vancouver) Provost and Vice-Principal-President, Academic (UBC Okanagan)</td>
</tr>
<tr>
<td>Responsible Board Committee:</td>
<td>People, Community &amp; International Committee</td>
</tr>
<tr>
<td>History:</td>
<td>• The Retired Faculty Appointment Policy was first approved by the Board of Governors in July 1977; • The Retired Faculty Appointment Policy was revised in June 2013; • The Retired Faculty Appointment Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Retired Faculty Appointment Policy, its long title is Appointment of Retired Faculty Members, and its number is AP1. The previous identification number for this policy was #27.</td>
</tr>
<tr>
<td>Related Legislation:</td>
<td>Employment Standards Act R.S.B.C. 1996, c. 113</td>
</tr>
</tbody>
</table>
Background & Purposes:

To establish procedures for considering the extension of appointments of certain senior academic administrators.

1. Definitions and Interpretation Rules

1.1 A schedule to this Policy establishes the definitions of terms used in this Policy and any unique rules of interpretation that apply to this Policy.

2. Scope

2.1 This Policy applies to all extensions of appointments of Designated Senior Academic Administrators.

2.2 Currently, the President of the University holds the title of Deputy Vice-Chancellor for UBC Vancouver and the Vice-President, Academic and Research (UBC Okanagan) holds the title of Deputy Vice-Chancellor and Principal for UBC Okanagan. If, at some point in the future, it is determined that the position of Deputy Vice-Chancellor is to be held by a person other than the President in the case of UBC Vancouver or the Vice-President, Academic and Research (UBC Okanagan) in the case of UBC Okanagan, the process for dealing with extensions of appointments for the Deputy Vice-Chancellor and Principal (UBC Okanagan) or the Deputy Vice-Chancellor (UBC Vancouver) as set out in this Policy and any associated Procedures will apply. However, unless and until such a determination is made, the normal selection process for the President or for the Vice-President, Academic and Research (UBC Okanagan), as applicable, will be applied.

3. Stages

3.1 Where the appointment of the Deputy Vice-Chancellor and Principal (UBC Okanagan), the Deputy Vice-Chancellor (UBC Vancouver), an Academic Vice-President, or the Vice-President, Research and Innovation is approaching expiration, the President will ascertain whether the incumbent wishes to continue in the position beyond the expiration of his or her current appointment.
3.2 Where an Academic Associate Vice-President’s appointment is approaching expiration, his or her Academic Vice-President will:

3.2.1 ascertain whether the incumbent wishes to continue in the position beyond the expiration of his or her current appointment; and

3.2.2 make a recommendation to the President as to whether it would be desirable to consider extending the incumbent’s appointment, and any terms and conditions, if any, of any such extension.

3.3 If the incumbent and the President wish to consider extending the appointment, the President will convene an Advisory Committee as described in the Procedures and will consider the advice of the Advisory Committee in making a recommendation to the Board of Governors.

3.4 The President’s recommendation, which may include recommended terms and conditions of any extension, will be considered by the Board of Governors, which has the authority to extend the appointment of a Designated Senior Academic Administrator and to establish the terms and conditions for any such extension.

3.5 If the incumbent does not wish to continue in his or her position beyond the expiration of his or her current term of appointment or if it is determined at any stage that an extension of the term of the incumbent should not be considered, the procedures for the recommendation and selection of candidates for Designated Senior Academic Administrators contained in the Academic Administrators Appointment Policy will apply.

4. Pro Tem Appointments

4.1 Notwithstanding anything else in this Policy or anything in the Academic Administrators Appointment Policy, the President may designate in writing that an individual, including the incumbent, take on the role of a Designated Senior Academic Administrator in a pro tem capacity where the incumbent’s appointment has ended and a successor has not yet taken office; provided however, that:

4.1.1 any such designation normally shall not be for a period of more than 12 months; and

4.1.2 if successive designations are made, the aggregate length of the designations normally shall not exceed 24 months.

4.2 For clarity, the stages outlined in Article 3 of this Policy do not apply to pro tem appointments made pursuant to this Article 4 of the Policy.
Schedule to Academic Administrators Extension Policy

Definitions and Other Interpretation Rules

1. Definitions

In the Academic Administrators Extension Policy, the following terms have the meaning defined below, and shall have the same meaning in any Procedures associated with that Policy:

a. “Academic Associate Vice-Presidents” means the positions designated as such by the President, from time to time, in the Procedures associated with this Policy.

b. “Academic Vice-Presidents” means the following:
   1. Provost and Vice-President, Academic (UBC Vancouver); and
   2. Provost and Vice-President, Academic Vice-President, Academic and Research (UBC Okanagan).

c. “Advisory Committee” means an advisory committee to the President as defined in Article 2 in the Procedures associated with this Policy.

d. “Deans” means:
   1. the Deans of UBC Okanagan Faculties;
   2. the Deans of UBC Vancouver Faculties; and
   3. the Deans of Dual-Campus Faculties.

e. “Designated Senior Academic Administrators” means the following:
   1. Deputy Vice-Chancellor and Principal (UBC Okanagan);
   2. Deputy Vice-Chancellor (UBC Vancouver);
   3. Academic Vice-Presidents;
   4. Vice-President, Research and Innovation; and
   5. Academic Associate Vice-Presidents.

f. “Dual-Campus Faculty” has the same meaning attributed to it in resolutions passed by the Board of Governors on June 3, 2005. [Note: As at July 1, 2005, the sole Dual-Campus Faculty was the Faculty of Applied Science.]

g. “Principals” means:
   1. the Principal of the College of Health Disciplines; and
   2. the Principal of the College for Interdisciplinary Studies.

gh. “UBC Okanagan Faculty” has the same meaning attributed to the term “Faculty of UBC Okanagan” in resolutions passed by the Board of Governors on June 3, 2005. [Note: As at July 1, 2005, the UBC Okanagan Faculties were the Faculty of Arts and Sciences (now known as the Irving K. Barber School of Arts and Sciences), the Faculty of Creative and Critical Studies, the Faculty of Education, the Faculty of Health and Social Development, and the Faculty of Management.]
ih. “UBC Vancouver Faculty” has the same meaning attributed to the term “Faculty of UBC Vancouver” in resolutions passed by the Board of Governors on June 3, 2005. [Note: As at July 1, 2005, the UBC Vancouver Faculties were the Faculty of Arts, the Faculty of Commerce and Business Administration (now known as the Sauder School of Business), the Faculty of Dentistry, the Faculty of Education, the Faculty of Forestry, the Faculty of Graduate Studies, the Faculty of Land and Food Systems, the Faculty of Law, the Faculty of Medicine, the Faculty of Pharmaceutical Sciences, and the Faculty of Science].
PROCEDURES ASSOCIATED WITH THE ACADEMIC ADMINISTRATORS EXTENSION POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Academic Administrators Extension Policy.

1. Academic Associate Vice-Presidents

   1.1 The following individuals are designated as Academic Associate Vice-Presidents:

      1.1.1 Associate Vice-President, Research and Innovation;

      1.1.2 Vice-Provost, International;

      1.1.3 Provost and Vice Principal (Academic) (UBC Okanagan);

      1.1.4 Vice Principal, (Research and Innovation) (UBC Okanagan);

      1.1.5 Deputy Provost (UBC Vancouver);

      1.1.6 Vice-Provost, Graduate and Postdoctoral Studies (UBC Vancouver);

      1.1.7 Vice-Provost and Associate Vice-President, Academic Affairs (UBC Vancouver); and

      1.1.8 Associate Vice-President, Health;

   1.2 Currently, the Dean of the Faculty of Graduate and Postdoctoral Studies holds the title of Vice-Provost Graduate and Postdoctoral Studies (UBC Vancouver). Where a Vice-Provost concurrently holds the position of Dean of a Faculty, the normal extension of appointment process for a Dean will be applied. If, at some point in the future, it is determined that the position of Vice-Provost Graduate and Postdoctoral Studies (UBC Vancouver) is to be held by a person other than the Dean of the Faculty of Graduate and Postdoctoral Studies, the extension of appointment process for Academic Associate Vice-Presidents will be applied.

2. Advisory Committees for the Extension of the Appointments
2.1 The incumbent will provide the Advisory Committee with a report of accomplishments and challenges for review. The Advisory Committee will issue a public call for comments from the University community and consult with a broad range of the incumbent’s constituents, including: direct reports, peers, immediate colleagues, relevant members of the University Executive Committee, external organizations with whom the incumbent would normally interact, and the broader community. The mandate of the Advisory Committee will be to advise the President on extension of the incumbent’s appointment, taking into consideration: the incumbent’s report; comments received from the University community; and the consultation with the incumbent’s constituents. The Advisory Committee may also advise the President on matters of future priorities for the portfolio.

2.2 For the Deputy Vice-Chancellor and Principal (UBC Okanagan) or the Deputy Vice-Chancellor (UBC Vancouver), the President will convene an Advisory Committee with the following membership:

<table>
<thead>
<tr>
<th>Position</th>
<th>Source/Composition</th>
<th>Appointed by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair</td>
<td>President</td>
<td>Ex Officio</td>
</tr>
<tr>
<td>Secretary</td>
<td><em>(non-voting and not counted in quorum)</em></td>
<td>Chair</td>
</tr>
<tr>
<td>Members</td>
<td>Person appointed by the Chair from the members of the Board</td>
<td>Chair</td>
</tr>
<tr>
<td></td>
<td>Persons selected by and from the UBC Okanagan Senate or the UBC Vancouver Senate (as applicable), at least one of whom</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>Associate Vice-President or Director appointed by the Chair from within the portfolio</td>
<td>Chair</td>
</tr>
<tr>
<td></td>
<td>Student appointed by the Chair from the students registered in a degree or diploma program at UBC Okanagan or UBC</td>
<td>Chair</td>
</tr>
<tr>
<td>Additional Members</td>
<td>Such other person(s) as the Chair may choose to appoint</td>
<td>Chair</td>
</tr>
</tbody>
</table>

2.3 For the Academic Vice-Presidents, the President will convene an Advisory Committee with the following membership:

<table>
<thead>
<tr>
<th>Position</th>
<th>Source/Composition</th>
<th>Appointed by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair</td>
<td>President</td>
<td>Ex Officio</td>
</tr>
<tr>
<td>Secretary</td>
<td><em>(non-voting and not counted in quorum)</em></td>
<td>Chair</td>
</tr>
<tr>
<td>Members</td>
<td>Person appointed by the Chair from the members of the Board of Governors, at least one of whom must be a faculty member</td>
<td>Chair</td>
</tr>
<tr>
<td></td>
<td>Persons selected by and from the UBC Okanagan Senate or the UBC Vancouver Senate, as applicable, at least one of whom must be a faculty member</td>
<td>Senate</td>
</tr>
</tbody>
</table>
For the Vice-President, Research and Innovation, the President will convene an Advisory Committee with membership that is generally consistent in balance with the membership set out for the Advisory Committee for the Deputy Vice-Chancellor and Principal (UBC Okanagan) and the Deputy Vice-Chancellor (UBC Vancouver), but the President will also consider balance between UBC Okanagan and UBC Vancouver. The President will normally consult with both the Provost and Vice-President, Academic (UBC Vancouver), and the Deputy Vice-Chancellor and Principal (UBC Okanagan). Without limiting the discretion of the President, the composition of an Advisory Committee for the selection of the Vice-President, Research and Innovation normally would be as follows:

<table>
<thead>
<tr>
<th>Position</th>
<th>#</th>
<th>Source/Composition</th>
<th>Appointed by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair</td>
<td>1</td>
<td>President</td>
<td>Ex Officio</td>
</tr>
<tr>
<td>Secretary</td>
<td>*</td>
<td>A member of the administrative staff of one of the President *(non-voting and not counted in quorum)</td>
<td>Chair</td>
</tr>
<tr>
<td>Members</td>
<td>2</td>
<td>Persons appointed by the Chair from the members of the Board</td>
<td>Chair</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Faculty member selected by and from the UBC Okanagan Senate</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Faculty member selected by and from the UBC Vancouver Senate</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Associate Vice-President or Director appointed by the Chair from within the portfolio</td>
<td>Chair</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Graduate student appointed by the Chair from the students registered at UBC Okanagan</td>
<td>Chair</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Graduate student appointed by the Chair from the students registered at UBC Vancouver</td>
<td>Chair</td>
</tr>
<tr>
<td>Additional Members</td>
<td>N/A</td>
<td>Such other person(s) as the Chair may choose to appoint</td>
<td>Chair</td>
</tr>
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</table>

For the Academic Associate Vice-Presidents, the President will convene an Advisory Committee with the following membership:

<table>
<thead>
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<th>Source/Composition</th>
<th>Appointed by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair</td>
<td>1</td>
<td>The Academic Vice-President to whom the Academic Associate Vice-President will report</td>
<td>Ex Officio</td>
</tr>
<tr>
<td>Secretary</td>
<td>*</td>
<td>A member of the administrative staff of the Chair *(non-voting and not counted in quorum)</td>
<td>Chair</td>
</tr>
<tr>
<td>Members</td>
<td>Source/Composition</td>
<td>Appointed by</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>-----------------------------------------------------------------------------------</td>
<td>--------------</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Person appointed by the President</td>
<td>President</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Persons selected by and from the UBC Okanagan Senate or the UBC Vancouver Senate (as applicable), at least one of whom must be a faculty member</td>
<td>Senate</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Member of staff selected from UBC Okanagan or UBC Vancouver by the Chair, as applicable</td>
<td>Chair</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Student appointed by the Chair from the students registered in a degree or diploma program at UBC Okanagan or UBC Vancouver, as applicable</td>
<td>Chair</td>
<td></td>
</tr>
<tr>
<td>Additional Members</td>
<td>N/A Such other person(s) as the Chair may choose to appoint</td>
<td>Chair</td>
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</tr>
</tbody>
</table>

### For the Associate Vice-President, Research and Innovation

<table>
<thead>
<tr>
<th>Position</th>
<th>#</th>
<th>Source/Composition</th>
<th>Appointed by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair</td>
<td>1</td>
<td>The Vice-President, Research and Innovation</td>
<td>Ex Officio</td>
</tr>
<tr>
<td>Secretary</td>
<td>*</td>
<td>A member of the administrative staff of the Chair *(non-voting and not counted in quorum)</td>
<td>Chair</td>
</tr>
<tr>
<td>Members</td>
<td>1</td>
<td>Person appointed by the President</td>
<td>President</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Faculty member selected by and from the UBC Okanagan Senate</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Faculty member selected by and from the UBC Vancouver Senate</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Member of staff selected by the Chair</td>
<td>Chair</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Graduate student appointed by the Chair from the students registered at UBC Okanagan</td>
<td>Chair</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Graduate student appointed by the Chair from the students registered at UBC Vancouver</td>
<td>Chair</td>
</tr>
<tr>
<td>Additional Members</td>
<td>N/A Such other person(s) as the Chair may choose to appoint</td>
<td>Chair</td>
<td></td>
</tr>
</tbody>
</table>

### For the Vice-Provost, International

<table>
<thead>
<tr>
<th>Position</th>
<th>#</th>
<th>Source/Composition</th>
<th>Selected by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair</td>
<td>1</td>
<td>The Provost and Vice-President, Academic (UBC Vancouver)</td>
<td>Ex Officio</td>
</tr>
<tr>
<td>Secretary</td>
<td>*</td>
<td>A member of the administrative staff of the Chair *(non-voting and not counted in quorum)</td>
<td>Chair</td>
</tr>
<tr>
<td>Members</td>
<td>1</td>
<td>Provost and Vice-President, Academic—Principal (UBC Okanagan)</td>
<td>Ex Officio</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Persons appointed by the President, at least 1 of whom is a staff member from within the portfolio of the Provost and Vice-President, Academic (UBC Vancouver)</td>
<td>President</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by the UBC Okanagan Senate from the faculty members from UBC Okanagan</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by the UBC Vancouver Senate from the faculty members from UBC Vancouver</td>
<td>Senate</td>
</tr>
</tbody>
</table>
The Chair of the Advisory Committee for the selection of an Academic Associate Vice-President must consult with the President before confirming the composition of the Advisory Committee.

2.6 Senate Selections: For Senators, the selection process is to be conducted in accordance with procedures satisfactory to the relevant Senate. Without limiting the generality of the foregoing, the Senate may authorize a committee (such as, for example, the Nominating Committee) to conduct the process or to simply nominate the Senators from that Senate.

3. Replacement of Advisory Committee Members

3.1 Vacancy or Inability to Participate: If a member of an Advisory Committee becomes unwilling or unable to serve as a member of the Advisory Committee before it has completed its work the Chair, in consultation with the President, may appoint a replacement member. While the replacement member may be any person whose participation is expected to contribute significantly to the activities of the Advisory Committee, the usual practice is for the replacement member to be from the same stakeholder group as the person being replaced.

3.2 Student Status: If a student member of an Advisory Committee ceases to be a student at the University but remains willing and able to continue to serve as a member of the Advisory Committee, the Chair, in consultation with the President, may permit the student to continue to serve or may appoint a replacement student member. Any such replacement student must meet the same eligibility requirements as the student who is being replaced. For example, if the student being replaced is a graduate student selected from the graduate students associated with a specific campus, the replacement student will be appointed from the graduate students associated with that campus.

3.3 If a replacement member is not appointed, the Advisory Committee may complete its work notwithstanding the vacancy.

4. Procedure for Advisory Committee

4.1 The Chair of the Advisory Committee will be responsible for calling meetings.
4.2 Meetings may be held face-to-face, via telephone conference, video conference or any means determined by the Chair of the Advisory Committee.

4.3 The quorum required to transact business at meetings will be a majority of the members of the Advisory Committee unless otherwise determined by the Chair.

5. Term and Remuneration

5.1 Extensions of appointments of Designated Senior Academic Administrators are normally for terms of up to five years.

5.2 For a Designated Senior Academic Administrator other than those identified in Articles 1.1.1, 1.1.3, and 1.1.4 of these Procedures, the President normally will not recommend the extension of an appointment if it would result in the incumbent serving more than 10 consecutive years.

5.3 If the form or amount of remuneration of a Designated Senior Academic Administrator is to be changed upon commencement of an extension, such change must be established and documented in writing at or before the effective date of the extension.

6. Administrative Leaves

6.1 Where the Designated Senior Academic Administrator has been granted an administrative leave pursuant to the Procedures established under the Academic Administrators Appointment Policy and the appointment of the Designated Senior Academic Administrator is extended pursuant to this Academic Administrators Extension Policy, any such administrative leave will be automatically deferred unless otherwise determined by the President and be taken at the end of the extended term. In addition, the President may, in his or her discretion, grant a further administrative leave, to be taken at the conclusion of the extended term; provided however that the total duration of administrative leaves granted in respect of an initial appointment and granted in respect of any extensions together must not exceed 18 months. Any such grant of further administrative leave as well as any remuneration and/or benefits to be received by the Designated Senior Academic Administrator during any such further administrative leave must be documented in writing at or before the effective date of the extension.

6.2 Recognizing that administrative leave is intended to provide a reasonable period of time for senior administrators who are returning to the academic ranks to focus on their scholarly and professional activities and to re-integrate with their disciplines before they resume their regular duties as faculty members, administrative leave will only be granted to the Designated Senior Academic Administrator if he or she holds a tenured appointment and actually returns to active duty as a faculty member for at least one year immediately after the period of the administrative leave.

6.3 If an administrative leave is granted, time served as a Designated Senior Academic Administrator and time taken on administrative leave will not be included in years of service for the purpose of calculating study leave.
6.4 Any arrangements with respect to administrative leave for a **Designated Senior Academic Administrator** that were established and documented in writing prior to October 1, 2010 will not be affected by these Procedures.

6.5 Any deviations from the Articles of these Procedures dealing with administrative leave may only be made with the written approval of the President.
EXPLANATORY NOTES REGARDING THE
ACADEMIC ADMINISTRATORS EXTENSION POLICY AND ASSOCIATED
PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Academic Administrators Extension Policy. These Explanatory Notes do not replace or supersede the content of the Academic Administrators Extension Policy and its Procedures.

<table>
<thead>
<tr>
<th>Policy Long Title:</th>
<th>Extension of Appointments for Designated Senior Academic Administrators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy Short Title:</td>
<td>Academic Administrators Extension Policy</td>
</tr>
<tr>
<td>Policy Number:</td>
<td>AP6</td>
</tr>
<tr>
<td>Responsible Executive:</td>
<td>President</td>
</tr>
<tr>
<td>Responsible Board Committee:</td>
<td>Executive Committee</td>
</tr>
<tr>
<td>Related Policies:</td>
<td>GA2 - Regulatory Framework Policy</td>
</tr>
<tr>
<td></td>
<td>AP12 - Academic Administrators Appointment Policy</td>
</tr>
<tr>
<td>History:</td>
<td>• The Academic Administrators Extension Policy was first approved by the Board of Governors in November 1991;</td>
</tr>
<tr>
<td></td>
<td>• The Academic Administrators Extension Policy was revised in June 2017;</td>
</tr>
<tr>
<td></td>
<td>• The Academic Administrators Extension Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Academic Administrators Extension Policy, its long title is Extension of Appointments for Designated Senior Academic Administrators, and its number is AP6. The previous identification number for this policy was #24.</td>
</tr>
<tr>
<td>Related Legislation:</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Background & Purposes:

To confirm the authority and terms of appointment of the Head of an Academic Unit and to establish the procedures for the appointment and extension of appointment for a Head of an Academic Unit, which include appropriate consultation within the Academic Unit and consideration of the future needs of the Academic Unit.

1. Definitions and Interpretation Rules

1.1 A schedule to this Policy establishes the definitions of terms used in this Policy and any unique rules of interpretation that apply to this Policy.

2. Scope

2.1 This Policy applies to all appointments and extensions of appointments for Heads of Academic Units.

2.2 Selection of heads of academic departments and schools other than Academic Units may be in accordance with this Policy, as determined by the Responsible Executive.

3. Governing Principles

3.1 Authority for the appointment and extension of appointment of Heads rests with the Responsible Executive on the recommendation of the Dean. The Dean’s recommendation will include recommended terms and conditions of the appointment or extension of appointment.

3.2 A Head reports to his or her Dean. Responsibilities delegated by a Dean to a Head normally include: responsibility for the overall operation of the Academic Unit, including the budget; providing leadership of the administrative and intellectual life for the Academic Unit, including assigning teaching duties; continuing to advance the Academic Unit’s programs and activities; making recommendations to the Dean on matters pertaining to the Academic Unit and representing the views of the Academic Unit to the Dean and the University at large; and such other duties as may be assigned by the Dean.
4. **Appointments**

4.1 *Heads* may be appointed for terms of up to five years.

4.2 A *Dean* will follow the process for the appointment of a *Head* contained in the Procedures to this Policy.

5. **Extension of Appointments**

5.1 A *Head* will not normally serve more than 10 consecutive years.

5.2 Where a *Head’s* appointment is approaching expiration, the *Dean* will:

   5.2.1 Ascertain whether the incumbent wishes to continue in the position beyond the expiration of his or her current appointment. If the incumbent does not wish to continue in his or her position beyond the expiration of his or her current term of appointment or if it is determined at any stage that an extension of the term of the incumbent should not be considered, the *Dean* will follow the process for the appointment of a *Head* contained in the Procedures to this Policy;

   5.2.2 Follow the process for the extension of an appointment of a *Head* contained in the Procedures to this Policy, if the *Dean* believes it would be desirable to consider extending the incumbent’s appointment and if the length of the proposed extension is for a period of more than one year; and

   5.2.3 Make a recommendation to the *Responsible Executive* as to whether it would be desirable to consider extending the incumbent’s appointment, the length of the proposed extension, and the terms and conditions of any such extension.

6. **Pro Tem Appointments**

6.1 Notwithstanding anything else in this Policy, the *Responsible Executive* may designate in writing that an individual, including the incumbent, take on the role of *Head* in a *pro tem* capacity where the incumbent’s appointment has ended and a successor has not yet taken office; provided however, that:

   6.1.1 any such designation normally will not be for a period of more than 12 months; and

   6.1.2 if successive designations are made, the aggregate length of the designations normally will not exceed 24 months.
Schedule to Academic Heads Policy

Definitions and Other Interpretation Rules

1. Definitions

In the Academic Heads Policy, the following terms have the meaning defined below, and shall have the same meaning in any Procedures associated with that Policy:

a. “Academic Unit” means an academic department or school within a Dual-Campus Faculty, a UBC Okanagan Faculty, or a UBC Vancouver Faculty, the College of Health Disciplines or the College for Interdisciplinary Studies.

b. “Advisory Committee” means the advisory committee to the Responsible Executive as defined in Article 5 of the Procedures.

c. “Dean” means:
   a Dean of a UBC Okanagan Faculty, a Dean of a UBC Vancouver Faculty, or a Dean of a Dual-Campus Faculty;
   the Principal of the College of Health Disciplines or the Principal of the College of Interdisciplinary Studies; or equivalent positions.

d. “Dual-Campus Faculty” has the same meaning attributed to it in resolutions passed by the Board of Governors on June 3, 2005. [Note: As at July 1, 2005, the sole Dual-Campus Faculty was the Faculty of Applied Science.]

e. “Head” means the head or director of an Academic Unit.

f. “Responsible Executive” means:
   1. the President and individual(s) assigned by the President, from time to time, to be responsible for this Policy and any associated Procedures; and
   2. any sub-delegate of that assigned responsible individual(s) except to the extent that the power to delegate is specifically excluded in this Policy or in the appointment by the President.

g. “UBC Okanagan Faculty” has the same meaning attributed to the term “Faculty of UBC Okanagan” in resolutions passed by the Board of Governors on June 3, 2005. [Note: As at July 1, 2005, the UBC Okanagan Faculties were the Faculty of Arts and Sciences (now known as the Irving K. Barber School of Arts and Sciences), the Faculty of Creative and Critical Studies, the Faculty of Education, the Faculty of Health and Social Development, and the Faculty of Management.]
h. “UBC Vancouver Faculty” has the same meaning attributed to the term “Faculty of UBC Vancouver” in resolutions passed by the Board of Governors on June 3, 2005. [Note: As at July 1, 2005, the UBC Vancouver Faculties were the Faculty of Arts, the Faculty of Commerce and Business Administration (now known as the Sauder School of Business), the Faculty of Dentistry, the Faculty of Education, the Faculty of Forestry, the Faculty of Graduate Studies, the Faculty of Land and Food Systems, the Faculty of Law, the Faculty of Medicine, the Faculty of Pharmaceutical Sciences, and the Faculty of Science].
PROCEDURES ASSOCIATED WITH THE ACADEMIC HEADS POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Academic Heads Policy.

1. Assignment of Responsible Executive

1.1 The Responsible Executive will be the Provost and Vice‐President, Academic (UBC Vancouver) in relation to matters regarding Heads of Academic Units at UBC Vancouver, unless otherwise required.

1.2 The Responsible Executive will be the Provost and President, Academic (UBC Okanagan) in relation to matters regarding Heads of Academic Units at UBC Okanagan, unless otherwise required.

2. Terms and Conditions of Appointments and Extension of Appointments

2.1 A letter of appointment confirming in writing the terms and conditions of the appointment or extension of appointment, including remuneration, administrative leave, and the responsibilities delegated to the Head, must be provided from the Dean to the Head at or before the effective date of the appointment or extension of appointment. In all cases, acceptance of the appointment must be confirmed in writing by the Head, a copy of which will be included with the Faculty Appointment Form.

2.2 As part of their appointment, Heads will have access to training, time, and support to assist them in carrying out their responsibilities.

2.3 Remuneration:

2.3.1 For appointments: In addition to the salary a Head receives as a faculty member, the Head will receive an administrative stipend and may also be granted a teaching release for performing the duties as Head, all documented in accordance with Section 2.1 of these Procedures. The administrative stipend will be discretionary in amount, but not less than $5,000 per year.

2.3.2 For extension of appointments: If the form or amount of remuneration of a Head is to be changed upon commencement of an extension, such change must be established and documented in writing at or before the effective date of the extension.
2.3.3 For pro tem appointments: A Head pro tem may receive an administrative stipend, identified at the time of designation, discretionary in amount, and agreed to and confirmed in writing, for taking on the role of Head in a pro tem capacity.

2.4 Administrative Leaves

2.4.1 Recognizing that administrative leave is intended to provide a reasonable period of time for administrators who are returning to the academic ranks to focus on their scholarly and professional activities and to re-integrate with their disciplines before they resume their regular duties as faculty members, the Responsible Executive will grant an administrative leave, with full salary and benefits, to the Head provided that:

(a) administrative leave will only be granted to the Head where the Head actually returns to active duty as a faculty member for at least one year immediately after the period of the administrative leave; and

(b) a Dean, in his or her discretion, may require a Head to set out the rationale for the administrative leave and how it will benefit the Academic Unit/University as well as the Head. A report on activities and progress during the administrative leave may be required upon completion of the administrative leave.

2.4.2 The duration of such administrative leaves will be eight months for successful completion of a three-year term and 12 months for successful completion of a five-year term.

2.4.3 Where the Head has been granted an administrative leave pursuant to Article 2.4 of these Procedures and the appointment of the Head is subsequently extended, any such administrative leave may be deferred and taken at the end of the extended term unless otherwise determined by the Responsible Executive. In addition, the Responsible Executive may, in his or her discretion, grant a further administrative leave, to be taken at the conclusion of the extended term; provided however that the total duration of administrative leaves granted in respect of an initial appointment and granted in respect of any extensions together must not exceed 18 months.

2.4.4 A faculty member who serves as Head will not lose any service time accrued towards a study leave prior to the appointment.

2.4.5 Where an administrative leave is granted, the time served as a Head and time taken on administrative leave will not be included in years of service for the purpose of calculating study leave.

2.4.6 During the period of administrative leave, the faculty member continues to be a full-time employee of the University, and is required to comply with the University’s policies and procedures.

2.4.7 Any arrangements with respect to administrative leave for a Head that were established and documented in writing prior to February 7, 2011 will not be affected by these Procedures.
2.4.8 Any exceptions to these Procedures dealing with administrative leave may only be made with the written approval of the *Responsible Executive*.

2.5 **Termination:** A *Head’s* appointment normally may be terminated upon 30 days written notice: by the *Responsible Executive* to the incumbent, following consultation with the *Dean*; or by the incumbent to the *Responsible Executive* and the *Dean*.

3. **Process for the Appointment of a Head**

3.1 For the appointment of a *Head*, the *Dean* will convene an *Advisory Committee*. The Head (or Head *pro tem*) will provide the *Advisory Committee* with a report of the Academic Unit’s accomplishments and challenges. The *Advisory Committee* will consider the *Head’s* report and the results of any recently completed review of the *Academic Unit*. The *Advisory Committee* will seek input from faculty members, students, and administrators within the *Academic Unit* and such persons from outside the *Academic Unit* as the *Advisory Committee* may deem appropriate.

3.2 The mandate of the *Advisory Committee* will be to advise the *Responsible Executive* on a candidate for appointment as *Head* and may also advise the *Responsible Executive* on matters of future priorities for the *Academic Unit*. The *Dean* will also provide advice to the *Responsible Executive* on these matters. The *Responsible Executive* will consider the recommendations of both the *Advisory Committee* and the *Dean*.

3.3 For clarity, this process does not apply to *pro tem* appointments made pursuant to Article 6 of the Policy.

4. **Process for Extension of Appointment of a Head**

4.1 Consideration for extension of an appointment will take place only if the *Dean* and the *Head* agree to consider an extension and the *Responsible Executive* authorizes the consideration.

4.2 For the extension of an appointment of a *Head*, the *Dean* will normally convene an *Advisory Committee* for the extension of an appointment of a *Head*.

4.3 The *Head* (or Head *pro tem*) will provide the *Dean* with a report of the Academic Unit’s achievements and challenges. The *Dean* or the *Advisory Committee*, as the case may be, will consider the *Head’s* report and the results of any recently completed review of the *Academic Unit*. Whether or not an *Advisory Committee* is established, the *Dean* will ensure that faculty members, students, and administrators within the *Academic Unit* are consulted and their comments considered.

4.4 If an *Advisory Committee* is established, its mandate will be to advise the *Responsible Executive* on the extension of an appointment of a *Head* and may also advise the *Responsible Executive* on matters of future priorities for the *Academic Unit*. The *Dean* will also provide advice to the *Responsible Executive* on these matters. The *Responsible Executive* will consider the recommendations of both the *Advisory Committee* and the *Dean*.
4.5 For clarity, this process does not apply to pro tem appointments pursuant to Article 6 of the Policy.

5. **Advisory Committees**

5.1 The Dean (or designate) will chair an Advisory Committee as a non-voting member.

5.2 The size of an Advisory Committee will be determined by the Dean.

5.3 At least 50% of the voting members of an Advisory Committee will be elected by and from tenured or tenure track faculty members from the Academic Unit, with the remainder to be appointed by the Dean. In making appointments, the Dean will attempt to provide for a diverse and balanced Advisory Committee, normally including representation from students and staff. The Dean must consult with the Responsible Executive before confirming his or her appointees to the Advisory Committee.

5.4 The Chair of an Advisory Committee will be responsible for calling meetings.

5.5 Meetings may be held face-to-face, via telephone conference, video conference or any means recommended by the Chair of the Advisory Committee.

5.6 The quorum required to transact business at meetings will be a majority of the members of the Advisory Committee.

6. **Replacement of Advisory Committee Members**

6.1 **Vacancy or Inability to Participate:** If a member of an Advisory Committee becomes unwilling or unable to serve as a member of the Advisory Committee before it has completed its work, the Chair, in consultation with the Responsible Executive, may appoint a replacement member. While the replacement member may be any person whose participation is expected to contribute significantly to the activities of the Advisory Committee, the usual practice is for the replacement member to be from the same stakeholder group as the person being replaced.

6.2 **Student Status:** If a student member of an Advisory Committee ceases to be a student at the University but remains willing and able to continue to serve as a member of the Advisory Committee, the Chair, in consultation with the Responsible Executive and the relevant student group, may permit the student to continue to serve or may appoint a replacement student member. Any such replacement student must meet the same eligibility requirements as the student who is being replaced. For example, if the student being replaced is a graduate student selected from the graduate students associated with a specific Faculty or College, the replacement student will be appointed from the graduate students associated with that Faculty or College.

6.3 If a replacement member is not appointed, the Advisory Committee may complete its work notwithstanding the vacancy.
7. Review

7.1 Reviews of Academic Units are expected to be performed at regular intervals.

7.2 Where a review is to be conducted, the Dean will arrange for the review of the Academic Unit, in the manner set out in the relevant Senate and Faculty policies.
EXPLANATORY NOTES REGARDING THE
ACADEMIC HEADS POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Academic Heads Policy. These Explanatory Notes do not replace or supersede the content of the Academic Heads Policy and its Procedures.

Policy Long Title: Appointments and Extension of Appointments for Heads of Academic Units

Policy Short Title: Academic Heads Policy

Policy Number: AP9

Responsible Executive: Provost and Vice-President, Academic (UBC Vancouver)
Provost and Vice-Principal, Academic (UBC Okanagan)

Responsible Board Committee: Employee Relations Committee

Related Policies: GA2 - Regulatory Framework Policy

History:
- The Academic Heads Policy was first approved by the Board of Governors in March 1993;
- The Academic Heads Policy was revised in December 2016;
- The Academic Heads Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Academic Heads Policy, its long title is Appointments and Extension of Appointments for Heads of Academic Units, and its number is AP9. The previous identification number for this policy was #22.

Related Legislation: N/A
Background & Purposes:

Section 27(2)(f) of the University Act, R.S.B.C. 1996 c. 468 empowers the Board of Governors, with the approval of the UBC Okanagan Senate and the UBC Vancouver Senate, to establish procedures for the recommendation and selection of candidates for the Registrar and Librarians.

For extensions and acting appointments, please refer to the Registrar/Librarians Extension Policy.

1. Definitions and Interpretation Rules

1.1 A schedule to this Policy establishes the definitions of terms used in this Policy and any unique rules of interpretation that apply to this Policy.

2. Scope

2.1 This Policy applies to all appointments of the Registrar, the University Librarian, and all other Librarians.

2.2 Librarians other than the University Librarian are appointed in accordance with the Collective Agreement between the University and the Faculty Association.

3. Selection of Candidates

3.1 For the selection of candidates for the Registrar and the University Librarian, the President shall convene an Advisory Committee as described in the Procedures and will consider the advice of the Advisory Committee in making a recommendation to the Board of Governors.

3.2 The President’s recommendation, which may include recommended terms and conditions of any appointment, will be considered by the Board of Governors, which must approve such appointment and has the authority to establish the terms and conditions for any such appointment.
4. Procedures Not to Conflict

4.1 Provided that they are not in conflict with this Policy, the Procedures associated with this Policy may be created and amended in the same way as the Procedures associated with any other Policy passed by the Board of Governors.
1. **Definitions**

In the Registrar/Librarians Appointment Policy, the following terms have the meaning defined below, and shall have the same meaning in any Procedures associated with that Policy:

a. “**Advisory Committee**” means an advisory committee to the President as defined in Article 2 in the Procedures associated with this Policy.

b. “**Librarians**” means the members of UBC’s professional librarian staff.

c. “**Registrar**” means the Associate Vice-President, Enrolment Services and Registrar.

d. “**University Librarian**” means the person who is responsible for UBC’s overall library system across both UBC Okanagan and UBC Vancouver.

e. “**Responsible Executive**” means:

   1. individual(s) assigned by the President, from time to time, to be responsible for this Policy and any associated Procedures; and

   2. any sub-delegate of that assigned responsible individual(s) except to the extent that the power to delegate is specifically excluded in this Policy or in the appointment by the President.
PROCEDURES ASSOCIATED WITH THE
REGISTRAR/LIBRARIANS APPOINTMENT POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Registrar/Librarians Appointment Policy.

1. Assignment of Responsible Executive

1.1 The Responsible Executive will be the Provost and Vice–Vice–President, Academic (UBC Vancouver) in relation to matters regarding the University Librarian.

1.2 The Responsible Executive will be the Provost and Vice–Vice–President, Academic (UBC Vancouver) and the Provost and Vice–Principal–President, Academic (UBC Okanagan) in relation to matters regarding the Registrar.

1.3 Sub-Delegation: The Responsible Executives are not limited in sub-delegation of the duties hereunder but remain responsible for oversight and answerable to the President.

2. Advisory Committee for the University Librarian

2.1 For the selection of the University Librarian, the President will convene an Advisory Committee with the following membership:

<table>
<thead>
<tr>
<th>Position</th>
<th>Source/Composition</th>
<th>Appointed by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair</td>
<td><em>Responsible Executive</em></td>
<td>Ex Officio</td>
</tr>
<tr>
<td>Secretary</td>
<td>A member of the administrative staff of the Responsible Executive <em>(non-voting and not counted in quorum)</em></td>
<td>Chair</td>
</tr>
<tr>
<td>Members</td>
<td>Provost and Vice–Principal–President, Academic (UBC Okanagan)</td>
<td>Ex Officio</td>
</tr>
<tr>
<td></td>
<td>Persons, at least two of whom must be faculty members</td>
<td>President</td>
</tr>
<tr>
<td></td>
<td>Librarian elected by and from the Librarians associated with UBC Okanagan, other than the University Librarian</td>
<td>Librarians</td>
</tr>
<tr>
<td></td>
<td>Librarians elected by and from the Librarians associated with UBC Vancouver, other than the University Librarian</td>
<td>Librarians</td>
</tr>
<tr>
<td></td>
<td>Student elected by and from the students registered at UBC Okanagan</td>
<td>Students</td>
</tr>
<tr>
<td></td>
<td>Student elected by and from the students registered at UBC Vancouver</td>
<td>Students</td>
</tr>
</tbody>
</table>
### For the University Librarian

<table>
<thead>
<tr>
<th>Position</th>
<th>#</th>
<th>Source/Composition</th>
<th>Appointed by:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1</td>
<td>Person selected by the UBC Okanagan Senate from the faculty members or students from UBC Okanagan</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by the UBC Vancouver Senate from the faculty members or students from UBC Vancouver</td>
<td>Senate</td>
</tr>
</tbody>
</table>

**Additional Members**

| N/A | Such other person(s) as the President may choose to appoint | President |

| N/A | One Librarian elected by and from the Librarians, other than the University Librarian, for each Additional Member appointed by the President | Librarians |

| N/A | One student elected by and from the students registered at UBC Okanagan for every four Additional Members appointed by the President | Students |

| N/A | One student elected by and from the students registered at UBC Vancouver for every four Additional Members appointed by the President | Students |

| N/A | One person selected by the UBC Okanagan Senate from the faculty members from UBC Okanagan for every four Additional Members appointed by the President | Senate |

| N/A | One person selected by the UBC Vancouver Senate from the faculty members from UBC Vancouver for every four Additional Members appointed by the President | Senate |

### 2.2 Student Member Elections

For student members, the nominations and the elections are to be conducted in accordance with procedures satisfactory to the Registrar. The Registrar may authorize a student society to conduct the nominations and/or elections processes on his or her behalf.

### 2.3 Senate Selections

For a Senate selection, the selection process is to be conducted in accordance with procedures satisfactory to the relevant Senate. Without limiting the generality of the foregoing, the Senate may authorize a committee (such as, for example, the Nominating Committee) to conduct the process or to simply make the selection.

### 2.4 The Chair of the Advisory Committee

The Chair of the Advisory Committee must consult with the President before confirming the composition of the Advisory Committee.

### 2.5 Appointment Term

The University Librarian may be appointed for up to 5 years per term.

### 3. Advisory Committee for the Registrar

#### 3.1 Registrar

For the selection of the Registrar, the President will convene an Advisory Committee with the following membership:
<table>
<thead>
<tr>
<th>Position</th>
<th>#</th>
<th>Source/Composition</th>
<th>Appointed by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Co-Chairs</td>
<td>2</td>
<td><strong>Responsible Executives</strong></td>
<td>Ex Officio</td>
</tr>
<tr>
<td>Secretary</td>
<td>*</td>
<td>A member of the administrative staff of the Co-Chairs, selected by mutual agreement between the Co-Chairs <em>(non-voting and not counted in quorum)</em></td>
<td>Co-Chairs</td>
</tr>
<tr>
<td>Members</td>
<td>2</td>
<td>Members of the staff of the Registrar’s Office elected by and from the members of the staff of the Registrar’s Office, other than the Registrar</td>
<td>President</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Student elected by and from the students registered at UBC Okanagan</td>
<td>Students</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Student elected by and from the students registered at UBC Vancouver</td>
<td>Students</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by the UBC Okanagan Senate from the faculty members from UBC Okanagan</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by the UBC Vancouver Senate from the faculty members from UBC Vancouver</td>
<td>Senate</td>
</tr>
<tr>
<td>Additional Members</td>
<td>N/A</td>
<td>Such other person(s) as the President may choose to appoint</td>
<td>President</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>One member of the staff of the Registrar’s Office elected by and from the members of the staff of the Registrar, for each Additional Member appointed by the President</td>
<td>Staff</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>One student elected by and from the students registered at UBC Okanagan for every four Additional Members appointed by the President</td>
<td>Students</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>One student elected by and from the students registered at UBC Vancouver for every four Additional Members appointed by the President</td>
<td>Students</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>One person selected by the UBC Okanagan Senate from the faculty members from UBC Okanagan for every four Additional Members appointed by the President</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>One person selected by the UBC Vancouver Senate from the faculty members from UBC Vancouver for every four Additional Members appointed by the President</td>
<td>Senate</td>
</tr>
</tbody>
</table>

3.2 The Co-Chairs of the Advisory Committee must consult with the President before confirming the composition of the Advisory Committee.

3.3 **Student Member Elections**: For student members, the nominations and the elections are to be conducted in accordance with procedures satisfactory to the Co-Chairs. The Co-Chairs may authorize the incumbent Registrar or another person or entity, including a student society to conduct the nominations and/or elections processes on their behalf, notwithstanding the fact that the incumbent Registrar may be a candidate for appointment.
3.4 **Senate Selections:** For a Senate selection, the selection process is to be conducted in accordance with procedures satisfactory to the relevant Senate. Without limiting the generality of the foregoing, the Senate may authorize a committee (such as, for example, the Nominating Committee) to conduct the process or to simply make the selection.

3.5 **Appointment Term:** The **Registrar** may be appointed for up to 5 years per term.

4. **Replacement of Advisory Committee Members**

   4.1 **Vacancy or Inability to Participate:** If a member of an **Advisory Committee** becomes unwilling or unable to serve as a member of the **Advisory Committee** before it has completed its work, the Chair or Co-Chairs, as applicable, in consultation with the President, may appoint a replacement member. While the replacement member may be any person whose participation is expected to contribute significantly to the **Advisory Committee**’s activities, the usual practice is for the replacement member to be from the same stakeholder group as the person being replaced.

   4.2 **Student Status:** If a student member of an **Advisory Committee** ceases to be a student at the University but remains willing and able to continue to serve as a member of the **Advisory Committee**, the Chair or Co-Chairs, as applicable, in consultation with the President and the relevant student group, may permit the student to continue to serve or may appoint a replacement student member. Any such replacement must meet the same eligibility requirements as the student who is being replaced. For example, if the student being replaced is a student selected from the students registered at UBC Okanagan, the replacement student will be appointed from the students registered at UBC Okanagan.

   4.3 If a replacement member is not appointed, the **Advisory Committee** may complete its work notwithstanding the vacancy.

5. **Customary Practices**

   5.1 In making appointments to an **Advisory Committee**, including replacement appointments under Article 4 of these Procedures, the President will endeavour to provide for a diverse and balanced **Advisory Committee**.

6. **Procedure for Advisory Committee**

   6.1 The Chair or Co-Chairs of the **Advisory Committee** will be responsible for calling meetings.

   6.2 Meetings may be held face-to-face, via telephone conference, video conference or any means determined by the Chair or Co-Chairs of the **Advisory Committee**, as applicable.

   6.3 The quorum required to transact business at meetings will be a majority of the members of the **Advisory Committee** unless otherwise determined by the Chair or Co-Chairs, as applicable.
7. Remuneration

7.1 The form and amount of remuneration of the Registrar and the University Librarian must be established and documented in writing at or before the effective date of the appointment.

8. Administrative Leaves

8.1 As part of the terms of an appointment, the University Librarian and the Registrar may be granted an administrative leave, to be taken at the conclusion of the appointment, provided however that any such grant of administrative leave as well as any remuneration and/or benefits to be received by the University Librarian or the Registrar during any such administrative leave must be documented in writing at or before the effective date of the appointment. Recognizing that administrative leave is intended to provide for a reasonable period of time for senior administrators who are returning the academic ranks to focus on their scholarly and professional activities and to re-integrate with their disciplines before they resume their regular duties as faculty members or Librarians, administrative leave will only be granted to the University Librarian and the Registrar if he or she holds, in the case of the University Librarian, a confirmed appointment, and in the case of the Registrar, a tenured appointment, and they actually return to active duty as a faculty member or a Librarian for at least one year immediately after the period of the administrative leave.

8.2 If an administrative leave is granted, time served as a Registrar or University Librarian and time taken on administrative leave will not be included in years of service for the purpose of calculating study leave.

8.3 During the period of administrative leave, the faculty member continues to be a full-time employee of the University, and is required to comply with the University's policies and procedures.

8.4 Any arrangements with respect to administrative leave that that were established and documented in writing prior to February 1, 2008 will not be affected by these Procedures.

8.5 Any deviations from the provisions of these Procedures dealing with administrative leave may only be made with the written approval of the President.
EXPLANATORY NOTES REGARDING THE
REGISTRAR/LIBRARIANS APPOINTMENT POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Registrar/Librarians Appointment Policy. These Explanatory Notes do not replace or supersede the content of the Registrar/Librarians Appointment Policy and its Procedures.

Policy Long Title: Appointment of Registrar and Librarians (Joint Senate and Board Policy)

Policy Short Title: Registrar/Librarians Appointment Policy

Policy Number: AP11

Responsible Executive: Provost and Vice-President, Academic (UBC Vancouver)
                      Provost and Vice-Presidents Principal, Academic (UBC Okanagan)

Responsible Board Committee: Employee Relations Committee

Related Policies: GA2 - Regulatory Framework Policy
                  AP13 - Registrar/Librarians Extension Policy

History:
- The Registrar/Librarians Appointment Policy was first approved by the Board of Governors in February 2008;
- The Registrar/Librarians Appointment Policy was revised in February 2012;
- The Registrar/Librarians Appointment Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Registrar/Librarians Appointment Policy, its long title is Appointment of Registrar and Librarians (Joint Senate and Board Policy), and its number is AP11. The previous identification number for this policy was #17.

Related Legislation: University Act R.S.B.C. 1996, c.468
Background & Purposes:

Section 27(2)(f) of the University Act, R.S.B.C. 1996 c. 468 empowers the Board of Governors, with the approval of the UBC Okanagan Senate and the UBC Vancouver Senate, to establish procedures for the recommendation and selection of candidates for senior academic administrators.

For extensions and acting appointments, please refer to the Academic Administrators Extension Policy.

1. Definitions and Interpretation Rules

1.1 A schedule to this Policy establishes the definitions of terms used in this Policy and any unique rules of interpretation that apply to this Policy.

2. Scope

2.1 This Policy applies to all appointments of Designated Senior Academic Administrators.

2.2 Currently, the President of the University holds the title of Deputy Vice-Chancellor for UBC Vancouver and the Vice-President, Academic and Research (UBC Okanagan) holds the title of Deputy Vice-Chancellor and Principal for UBC Okanagan. If at some point in the future, it is determined that the position of Deputy Vice-Chancellor is to be held by a person other than the President in the case of UBC Vancouver or the Vice-President, Academic and Research (UBC Okanagan) in the case of UBC Okanagan, the process for dealing with appointments for the Deputy Vice-Chancellor and Principal (UBC Okanagan) or the Deputy Vice-Chancellor (UBC Vancouver) as set out in this Policy and any associated Procedures will apply. However, unless and until such a determination is made, the normal selection process for the President or for the Vice-President, Academic and Research (UBC Okanagan), as applicable, will be applied.

3. Selection of Candidates

3.1 For the selection of candidates for Designated Senior Academic Administrators, the President shall convene an Advisory Committee as described in the Procedures and will consider the advice of the Advisory Committee in making a recommendation to the Board of Governors.
3.2 The President's recommendation, which may include recommended terms and conditions of the appointment, will be considered by the Board of Governors which must approve the appointment and has the authority to establish the terms and conditions for any such appointment.

4. Procedures Not to Conflict

4.1 Provided that they are not in conflict with this Policy, the Procedures associated with this Policy may be created and amended in the same way as the Procedures associated with any other Policy passed by the Board of Governors.
Definitions and Other Interpretation Rules

1. Definitions

In the Academic Administrators Appointment Policy, the following terms have the meaning defined below, and shall have the same meaning in any Procedures associated with that Policy:

a. “Academic Associate Vice-Presidents” means the positions designated as such by the President, from time to time, in the Procedures associated with this Policy.

b. “Academic Vice-Presidents” means the following:
   1. Provost and Vice-President, Academic (UBC Vancouver); and
   2. Provost and Vice-President, Academic Vice-President, Academic and Research (UBC Okanagan).

c. “Advisory Committee” means an advisory committee to the President as defined in Article 2 in the Procedures associated with this Policy.

d. “Deans” means:
   1. the Deans of UBC Okanagan Faculties;
   2. the Deans of UBC Vancouver Faculties;
   3. the Deans of Dual-Campus Faculties.

e. “Designated Senior Academic Administrators” means the following:
   1. Deputy Vice-Chancellor and Principal (UBC Okanagan);
   2. Deputy Vice-Chancellor (UBC Vancouver);
   3. Academic Vice-Presidents;
   4. Vice-President, Research and Innovation; and
   5. Academic Associate Vice-Presidents.

f. “Dual-Campus Faculty” has the same meaning attributed to it in resolutions passed by the Board of Governors on June 3, 2005. [Note: As at July 1, 2005, the sole Dual-Campus Faculty was the Faculty of Applied Science.]

g. “Responsible Executive” means:
   1. individual(s) assigned by the President, from time to time, to be responsible for this Policy and any associated Procedures; and
   2. any sub-delegate of that assigned responsible individual(s) except to the extent that the power to delegate is specifically excluded in this Policy or in the appointment by the President.

h. “Principals” means:
   1. the Principal of the College of Health Disciplines; and
   2. the Principal of the College for Interdisciplinary Studies.
“UBC Okanagan Faculty” has the same meaning attributed to the term "Faculty of UBC Okanagan" in resolutions passed by the Board of Governors on June 3, 2005. [Note: as at July 1, 2005, the UBC Okanagan Faculties were the Faculty of Arts and Sciences (now known as the Irving K. Barber School of Arts and Sciences), the Faculty of Creative and Critical Studies, the Faculty of Education, the Faculty of Health and Social Development, and the Faculty of Management.]

“UBC Vancouver Faculty” has the same meaning attributed to the term "Faculty of UBC Vancouver" in resolutions passed by the Board of Governors on June 3, 2005. [Note: as at July 1, 2005, the UBC Vancouver Faculties were the Faculty of Arts, the Faculty of Commerce and Business Administration (now known as the Sauder School of Business), the Faculty of Dentistry, the Faculty of Education, the Faculty of Forestry, the Faculty of Graduate Studies, the Faculty of Land and Food Systems, the Faculty of Law, the Faculty of Medicine, the Faculty of Pharmaceutical Sciences, and the Faculty of Science].
Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Academic Administrators Appointment Policy.

1. **Academic Associate Vice-Presidents**

   1.1 The following individuals are designated as *Academic Associate Vice-Presidents*:

   1.1.1 Associate Vice-President, Research and Innovation;

   1.1.2 Vice-Provost, International;

   1.1.3 Provost and Vice Principal (Academic) (UBC Okanagan);

   1.1.4 Vice-Principal (Research and Innovation) (UBC Okanagan);

   1.1.5 Deputy Provost (UBC Vancouver);

   1.1.6 Vice-Provost, Graduate and Postdoctoral Studies (UBC Vancouver);

   1.1.7 Vice-Provost and Associate Vice-President, Academic Affairs (UBC Vancouver);

   1.1.8 Vice-Provost and Associate Vice-President, Enrolment and Academic Facilities (UBC Vancouver); and

   1.1.9 Associate Vice-President, Health.

1.2 Currently, the Dean of the Faculty of Graduate and Postdoctoral Studies holds the title of Vice-Provost Graduate and Postdoctoral Studies (UBC Vancouver). Where a Vice-Provost concurrently holds the position of Dean of a Faculty, the normal selection process for a Dean will be applied. If, at some point in the future, it is determined that the position of Vice-Provost Graduate and Postdoctoral Studies (UBC Vancouver) is to be held by a person other than the Dean of the Faculty of Graduate and Postdoctoral Studies, the appointment process for *Academic Associate Vice-Presidents* will be applied.
2. Advisory Committee for the Appointments

2.1 For the **Deputy Vice-Chancellor and Principal (UBC Okanagan)** or the **Deputy Vice-Chancellor (UBC Vancouver)**, the President will convene an **Advisory Committee** with the following membership:

<table>
<thead>
<tr>
<th>Position</th>
<th>#</th>
<th>Source/Composition</th>
<th>Selected by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair</td>
<td>1</td>
<td>President</td>
<td>Ex Officio</td>
</tr>
<tr>
<td>Secretary</td>
<td>*</td>
<td>A member of the administrative staff of the Chair <em>(non-voting and not counted in quorum)</em></td>
<td>Chair</td>
</tr>
<tr>
<td>Members</td>
<td>3</td>
<td>Persons appointed by the Chair from the members of the Board of Governors</td>
<td>Chair</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by and from the UBC Okanagan Senate or the UBC Vancouver Senate, as applicable, from the faculty members from UBC Okanagan or UBC Vancouver, as applicable</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Persons selected by and from the UBC Okanagan Senate or the UBC Vancouver Senate, as applicable, at least one of whom must be a faculty member or student from UBC Okanagan or UBC Vancouver, as applicable</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Student elected by and from the students registered in a degree or diploma program at UBC Okanagan or UBC Vancouver, as applicable</td>
<td>Students</td>
</tr>
<tr>
<td>Up to 2</td>
<td></td>
<td>Associate Vice-Presidents or Directors of units within the portfolio of the Deputy Vice-Chancellor as the Chair may choose to appoint</td>
<td>Chair</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Persons elected by and from the faculty members from UBC Okanagan or UBC Vancouver, as applicable</td>
<td>Faculty</td>
</tr>
<tr>
<td>Additional Members</td>
<td>N/A</td>
<td>Such other person(s) as the Chair may choose to appoint</td>
<td>Chair</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>One person selected by and from the UBC Okanagan Senate or the UBC Vancouver Senate, as applicable, from the faculty members from UBC Okanagan or UBC Vancouver, as applicable, for every Additional Member appointed by the Chair</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>One student elected by and from the students registered in a degree or diploma program at UBC Okanagan or UBC Vancouver, as applicable, for every two Additional Members appointed by the Chair</td>
<td>Students</td>
</tr>
</tbody>
</table>
2.2 For the selection of an Academic Vice-President, the President will convene an Advisory Committee with the following membership:

<table>
<thead>
<tr>
<th>Position</th>
<th>#</th>
<th>Source/Composition</th>
<th>Selected by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair</td>
<td>1</td>
<td>President</td>
<td>Ex Officio</td>
</tr>
<tr>
<td>Secretary*</td>
<td>*</td>
<td>A member of the administrative staff of the Chair *(non-voting and not counted in quorum)</td>
<td>Chair</td>
</tr>
<tr>
<td>Members</td>
<td>4</td>
<td>Persons appointed by the Chair from the members of the Board of Governors, at least one of whom must be a faculty member</td>
<td>Chair</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by and from the UBC Okanagan Senate or the UBC Vancouver Senate, as applicable, from the faculty members from UBC Okanagan or UBC Vancouver, as applicable</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Persons selected by and from the UBC Okanagan Senate or the UBC Vancouver Senate, as applicable, at least one of whom must be a faculty member or student from UBC Okanagan or UBC Vancouver, as applicable</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Dean or Principal selected by and from the UBC Okanagan Senate or the UBC Vancouver Senate, as applicable</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Student elected by and from the graduate students registered in a degree or diploma program at UBC Okanagan or UBC Vancouver, as applicable</td>
<td>Students</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Student elected by and from the undergraduate students registered in a degree or diploma program at UBC Okanagan or UBC Vancouver, as applicable</td>
<td>Students</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Persons elected by and from the faculty members from UBC Okanagan or UBC Vancouver, as applicable</td>
<td>Faculty</td>
</tr>
<tr>
<td>Additional Members</td>
<td>N/A</td>
<td>Such other person(s) as the Chair may choose to appoint</td>
<td>Chair</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>One person selected by and from the UBC Okanagan Senate or the UBC Vancouver Senate, as applicable, from the faculty members from UBC Okanagan or UBC Vancouver, as applicable, for every two Additional Members appointed by the Chair</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>One student elected by and from the students registered in a degree or diploma program at UBC Okanagan or UBC Vancouver, as applicable, for every two Additional Members appointed by the Chair</td>
<td>Students</td>
</tr>
</tbody>
</table>
2.3 For the selection of the Vice President, Research and Innovation, the President will convene an *Advisory Committee* with the following membership:

<table>
<thead>
<tr>
<th>Position</th>
<th>#</th>
<th>Source/Composition</th>
<th>Selected by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair</td>
<td>1</td>
<td>President</td>
<td>Ex Officio</td>
</tr>
<tr>
<td>Secretary</td>
<td>*</td>
<td>A member of the administrative staff of the Chair <em>(non-voting and not counted in quorum)</em></td>
<td>Chair</td>
</tr>
<tr>
<td>Members</td>
<td>3</td>
<td>Persons appointed by the Chair from the members of the Board of Governors</td>
<td>Chair</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by and from the UBC Okanagan Senate from the faculty members from UBC Okanagan</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by and from the UBC Okanagan Senate from the faculty members or students from UBC Okanagan.</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by and from the UBC Vancouver Senate from the faculty members from UBC Vancouver</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by and from the UBC Vancouver Senate from the faculty members or students from UBC Vancouver</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Student elected by and from the graduate students registered in a degree or diploma program at UBC Okanagan</td>
<td>Students</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Student elected by and from the graduate students registered in a degree or diploma program at UBC Vancouver</td>
<td>Students</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person elected by and from the faculty members from UBC Okanagan</td>
<td>Faculty</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person elected by and from the faculty members from UBC Vancouver</td>
<td>Faculty</td>
</tr>
<tr>
<td>Up to 2 Additional Members</td>
<td>N/A</td>
<td>Associate Vice-Presidents or Directors of units within the portfolio of the Vice-President, Research and Innovation as the Chair may choose to appoint</td>
<td>Chair</td>
</tr>
<tr>
<td>Additional Members</td>
<td>N/A</td>
<td>Such other person(s) as the Chair may choose to appoint</td>
<td>Chair</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>One faculty member selected by the Chair and Members of the <em>Advisory Committee</em> (for clarity, not including the Additional Members) for every two Additional Members appointed by the Chair</td>
<td>Chair and Members of <em>Advisory Committee</em></td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>One student elected by and from the graduate students registered in a degree or diploma program at either UBC Okanagan or UBC Vancouver for every two Additional Members appointed by the Chair</td>
<td>Students</td>
</tr>
</tbody>
</table>
2.4 For the selection of an *Academic Associate Vice-President*, the President will convene an *Advisory Committee* with the following membership:

<table>
<thead>
<tr>
<th>Position</th>
<th>#</th>
<th>Source/Composition</th>
<th>Selected by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair</td>
<td>1</td>
<td>The <em>Academic Vice-President</em> to whom the <em>Academic Associate Vice-President</em> will report</td>
<td>Ex Officio</td>
</tr>
<tr>
<td>Secretary</td>
<td>*</td>
<td>A member of the administrative staff of the Chair <em>(non-voting and not counted in quorum)</em></td>
<td>Chair</td>
</tr>
<tr>
<td>Members</td>
<td>3</td>
<td>Persons appointed by the President, at least one of whom must be a faculty member</td>
<td>President</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by and from UBC Okanagan Senate or UBC Vancouver Senate, as applicable, from the faculty members from UBC Okanagan or UBC Vancouver, as applicable</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Persons selected by and from UBC Okanagan Senate or UBC Vancouver Senate, as applicable, at least one of whom must be a faculty member or student from UBC Okanagan or UBC Vancouver, as applicable</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Student elected by and from the graduate students registered in a degree or diploma program at UBC Okanagan or UBC Vancouver, as applicable</td>
<td>Students</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Student elected by and from the undergraduate students registered in a degree or diploma program at UBC Okanagan or UBC Vancouver, as applicable</td>
<td>Students</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Persons elected by and from the faculty members from UBC Okanagan or UBC Vancouver, as applicable</td>
<td>Faculty</td>
</tr>
<tr>
<td>Additional Members</td>
<td>N/A</td>
<td>Such other person(s) as the President may choose to appoint</td>
<td>President</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>One person selected by and from the UBC Okanagan Senate or the UBC Vancouver Senate, as applicable, from the faculty members from UBC Okanagan or UBC Vancouver, as applicable, for every Additional Member appointed by the President</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
<td>One student elected by and from the students registered in a degree or diploma program at UBC Okanagan or UBC Vancouver, as applicable, for every two Additional Members appointed by the President</td>
<td>Students</td>
</tr>
<tr>
<td>Position</td>
<td>#</td>
<td>Source/Composition</td>
<td>Selected by:</td>
</tr>
<tr>
<td>-----------------</td>
<td>----</td>
<td>--------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------</td>
</tr>
<tr>
<td>Chair</td>
<td>1</td>
<td>The Vice-President, Research and Innovation</td>
<td>Ex Officio</td>
</tr>
<tr>
<td>Secretary</td>
<td>*</td>
<td>A member of the administrative staff of the Chair <em>(non-voting and not counted in quorum)</em></td>
<td>Chair</td>
</tr>
<tr>
<td>Members</td>
<td>3</td>
<td>Persons appointed by the President, at least 1 of whom is a staff member from within the portfolio of the Chair and Members of the Advisory Committee for clarity, not including the Additional Members</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by and from the UBC Okanagan Senate from the faculty members from UBC Okanagan</td>
<td>President</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by and from the UBC Okanagan Senate from the faculty members or students from UBC Okanagan</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by and from the UBC Vancouver Senate from the faculty members from UBC Vancouver</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by and from the UBC Vancouver Senate from the faculty members or students from UBC Vancouver</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person elected by and from the faculty members from UBC Okanagan</td>
<td>Faculty</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person elected by and from the faculty members from UBC Vancouver</td>
<td>Faculty</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Student elected by and from the graduate students registered in a degree or diploma program at UBC Okanagan</td>
<td>Students</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Student elected by and from the graduate students registered in a degree or diploma program at UBC Vancouver</td>
<td>Students</td>
</tr>
<tr>
<td>Additional Members</td>
<td>N/A</td>
<td>Such other person(s) as the President may choose to appoint</td>
<td>President</td>
</tr>
<tr>
<td>N/A</td>
<td></td>
<td>One faculty member selected by the Chair and Members of the Advisory Committee for clarity, not including the Additional Members for every two Additional Members appointed by the President</td>
<td>Chair and Members of Advisory Committee</td>
</tr>
<tr>
<td>N/A</td>
<td></td>
<td>One student elected by and from the graduate students registered in a degree or diploma program at either UBC Okanagan or UBC Vancouver for every two Additional Members appointed by the President</td>
<td>Students</td>
</tr>
</tbody>
</table>
### For the Vice-Provost, International

<table>
<thead>
<tr>
<th>Position</th>
<th>#</th>
<th>Source/Composition</th>
<th>Selected by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair</td>
<td>1</td>
<td>The Provost and Vice-President, Academic (UBC Vancouver)</td>
<td>Ex Officio</td>
</tr>
<tr>
<td>Secretary</td>
<td>*</td>
<td>A member of the administrative staff of the Chair <em>(non-voting and not counted in quorum)</em></td>
<td>Chair</td>
</tr>
<tr>
<td>Members</td>
<td>1</td>
<td>Provost and Vice-Principal Academic (UBC Okanagan)</td>
<td>Ex Officio</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Persons appointed by the President, at least 1 of whom is a staff member from within the portfolio of the Provost and Vice-President Academic (UBC Vancouver)</td>
<td>President</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by and from the UBC Okanagan Senate from the faculty members from UBC Okanagan</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by and from the UBC Okanagan Senate from the faculty members or students from UBC Okanagan</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Persons selected by and from the UBC Vancouver Senate from the faculty members from UBC Vancouver</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by and from the UBC Vancouver Senate from the faculty members or students from UBC Vancouver</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person elected by and from the faculty members from UBC Okanagan</td>
<td>Faculty</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person elected by and from the faculty members from UBC Vancouver</td>
<td>Faculty</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Student registered in a degree or diploma program at UBC Okanagan selected by the Board of Directors of the Student Union of UBC Okanagan</td>
<td>UBCSUO Board of Directors</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Student registered in a degree or diploma program at UBC Vancouver selected by the Council of the Alma Mater Society of the University of British Columbia</td>
<td>AMS Council</td>
</tr>
<tr>
<td>Additional Members</td>
<td>N/A</td>
<td>Such other person(s) as the President may choose to appoint</td>
<td>President</td>
</tr>
</tbody>
</table>

**N/A** One faculty member selected by the Chair and Members of the **Advisory Committee** (for clarity, not including the Additional Members) for every two Additional Members appointed by the President

**N/A** One student registered in a degree or diploma program at either UBC Okanagan or UBC Vancouver selected by the Chair and Members of the **Advisory Committee** (for clarity, not including the Additional Members) for every two Additional Members appointed by the President
<table>
<thead>
<tr>
<th>Position</th>
<th>#</th>
<th>Source/Composition</th>
<th>Selected by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair</td>
<td>1</td>
<td>The Vice-President, Health</td>
<td>Ex Officio</td>
</tr>
<tr>
<td>Secretary</td>
<td>*</td>
<td>A member of the administrative staff of the Chair <em>(non-voting and not counted in quorum)</em></td>
<td>Chair</td>
</tr>
<tr>
<td>Members</td>
<td>1</td>
<td>Provost and Vice-President, Principal (Academic) (UBC Okanagan)</td>
<td>Ex Officio</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Persons appointed by the President, at least 1 of whom is a staff member from within the portfolio of the Vice-President, Health</td>
<td>President</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by and from the UBC Okanagan Senate from the faculty members from UBC Okanagan</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by and from the UBC Okanagan Senate from the faculty members or students from UBC Okanagan</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Persons selected by and from the UBC Vancouver Senate from the faculty members from UBC Vancouver</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person selected by and from the UBC Vancouver Senate from the faculty members or students from UBC Vancouver</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person elected by and from the faculty members from UBC Okanagan</td>
<td>Faculty</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Person elected by and from the faculty members from UBC Vancouver</td>
<td>Faculty</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Student registered in a degree or diploma program in a health discipline at UBC Okanagan selected by the Board of Directors of the Student Union of UBC Okanagan</td>
<td>UBCSUO Board of Directors</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Student registered in a degree or diploma program in a health discipline at UBC Vancouver selected by the Council of the Alma Mater Society of the University of British Columbia</td>
<td>AMS Council</td>
</tr>
<tr>
<td>Additional Members</td>
<td>N/A</td>
<td>Such other person(s) as the President may choose to appoint</td>
<td>President</td>
</tr>
</tbody>
</table>

| Additional Members | N/A | One faculty member selected by the Chair and Members of the **Advisory Committee** (for clarity, not including the Additional Members) for every two Additional Members appointed by the President | Chair and Members of **Advisory Committee** |
| Additional Members | N/A | One student registered in a degree or diploma program in a health discipline at either UBC Okanagan or UBC Vancouver selected by the Chair and Members of the **Advisory Committee** (for clarity, not including the Additional Members) for every two Additional Members appointed by the President | Chair and Members of **Advisory Committee** |

2.5 The Chair of the **Advisory Committee** for the selection of an **Academic Associate Vice-President** must consult with the President before confirming the composition of the **Advisory Committee**.

2.6 **Student Member Elections**: For student members, the nominations and the elections are to be conducted in accordance with procedures satisfactory to the Registrar. The Registrar may authorize a student society to conduct the nominations and/or elections processes on his or her behalf.
2.7 Senate Selections: For a Senate selection, the selection process is to be conducted in accordance with procedures satisfactory to the relevant Senate. Without limiting the generality of the foregoing, the Senate may authorize a committee (such as, for example, the Nominating Committee) to conduct the process or to simply make the selections.

3. Replacement of Advisory Committee Members

3.1 Vacancy or Inability to Participate: If a member of an Advisory Committee becomes unwilling or unable to serve as a member of the Advisory Committee before it has completed its work, the Chair, in consultation with the President, may appoint a replacement member. While the replacement member may be any person whose participation is expected to contribute significantly to the Advisory Committee’s activities, the usual practice is for the replacement member to be from the same stakeholder group as the person being replaced.

3.2 Student Status: If a student member of an Advisory Committee ceases to be a student at the University but remains willing and able to continue to serve as a member of the Advisory Committee, the Chair, in consultation with the President, may permit the student to continue to serve or may appoint a replacement student member. Any such replacement student must meet the same eligibility requirements as the student who is being replaced. For example, if the student being replaced is a graduate student selected from the graduate students associated with a specific campus, the replacement student will be appointed from the graduate students associated with that campus.

3.3 If a replacement member is not appointed, the Advisory Committee may complete its work notwithstanding the vacancy.

4. Procedure for Advisory Committee

4.1 The Chair of the Advisory Committee will be responsible for calling meetings.

4.2 Meetings may be held face-to-face, via telephone conference, video conference or any means determined by the Chair of the Advisory Committee.

4.3 The quorum required to transact business at meetings will be a majority of the members of the Advisory Committee unless otherwise determined by the Chair.

5. Customary Practices: In making appointments to an Advisory Committee, including replacement appointments under Article 3 of these Procedures, the President will endeavour to provide for a diverse and balanced Advisory Committee.

6. Term and Remuneration

6.1 The form and amount of remuneration of Designated Senior Academic Administrators must be established and documented in writing at or before the effective date of the appointment.

6.2 Designated Senior Academic Administrators may be appointed for terms of up to five years.
7. Responsible Executive

7.1 Appointment: The individual responsible for the Academic Administrators Appointment Policy and these associated Procedures is the President.

7.2 Sub-Delegation: The Responsible Executive is not limited in sub-delegation of the duties hereunder but remains responsible for oversight.

8. Administrative Leaves

8.1 As part of the terms of an appointment, a Designated Senior Academic Administrator may be granted an administrative leave, to be taken at the conclusion of the appointment, provided, however that any such grant of administrative leave as well as any remuneration and/or benefits to be received by the Designated Senior Academic Administrator during any such administrative leave must be documented in writing at or before the effective date of the appointment.

8.2 Recognizing that administrative leave is intended to provide for a reasonable period of time for senior administrators who are returning to the academic ranks to focus on their scholarly and professional activities and to re-integrate with their disciplines before they resume their regular duties as faculty members, administrative leave will only be granted to the Designated Senior Academic Administrator if he or she holds a tenured appointment and actually returns to active duty as a faculty member for at least one year immediately after the period of the administrative leave.

8.3 If an administrative leave is granted, time served as a Designated Senior Academic Administrator and time taken on administrative leave will not be included in the years of service for the purpose of calculating study leave.

8.4 During the period of administrative leave, the faculty member continues to be a full-time employee of the University, and is required to comply with the University's policies and procedures.

8.5 Any arrangements with respect to administrative leave for a Designated Senior Academic Administrator that were established and documented in writing prior to May 1, 2008 will not be affected by these Procedures.

8.6 Any deviations from the Articles of these Procedures dealing with administrative leave may only be made with the written approval of the President.
EXPLANATORY NOTES REGARDING THE
ACADEMIC ADMINISTRATORS APPOINTMENT POLICY AND ASSOCIATED
PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Academic Administrators Appointment Policy. These Explanatory Notes do not replace or supersede the content of the Academic Administrators Appointment Policy and its Procedures.

<table>
<thead>
<tr>
<th>Policy Long Title:</th>
<th>Appointment of Designated Senior Academic Administrators (Joint Senate and Board Policy)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy Short Title:</td>
<td>Academic Administrators Appointment Policy</td>
</tr>
<tr>
<td>Policy Number:</td>
<td>AP12</td>
</tr>
<tr>
<td>Responsible Executive:</td>
<td>President</td>
</tr>
<tr>
<td>Responsible Board Committee:</td>
<td>Employee Relations Committee</td>
</tr>
<tr>
<td>Related Policies:</td>
<td>GA2 - Regulatory Framework Policy, AP6 - Academic Administrators Extension Policy</td>
</tr>
<tr>
<td>History:</td>
<td>• The Academic Administrators Appointment Policy was first approved by the Board of Governors in June 2008;</td>
</tr>
<tr>
<td></td>
<td>• The Academic Administrators Appointment Policy was revised in October 2017;</td>
</tr>
<tr>
<td></td>
<td>• The Academic Administrators Appointment Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Academic Administrators Appointment Policy, its long title is Appointment of Designated Senior Academic Administrators (Joint Senate and Board Policy), and its number is AP12. The previous identification number for this policy was #18.</td>
</tr>
<tr>
<td>Related Legislation:</td>
<td>University Act R.S.B.C. 1996, c.468</td>
</tr>
</tbody>
</table>
Long Title: Extension of Appointments for Registrar and Librarians

Short Title: Registrar/Librarians Extension Policy

Background & Purposes:

To establish procedures for considering the extension of appointments of the Registrar and Librarians.

1. Definitions and Interpretation Rules

1.1 A schedule to this Policy establishes the definitions of terms used in this Policy and any unique rules of interpretation that apply to this Policy.

2. Scope

2.1 General:

2.1.1 This Policy applies to all extensions of appointments of the Registrar, the University Librarian, and all other Librarians.

2.1.2 Librarians other than the University Librarian are appointed in accordance with the Collective Agreement between the University and the Faculty Association and the process for extending such appointments is governed by that Collective Agreement.

2.1.3 The appointment of the Registrar and the appointment of the University Librarian and any extensions thereof are subject to the approval of the Board of Governors. The President shall provide advice and recommendations to the Board of Governors on the selection and extension of the Registrar and the University Librarian.

2.1.4 An Advisory Committee is to be established at the call of the President to consider candidates for extension of an appointment as the Registrar and the University Librarian and to advise the President on recommendations to the Board of Governors.
3. Stages

3.1 Where a Registrar’s or University Librarian’s appointment is approaching expiration, the Responsible Executive will:

3.1.1 Ascertain whether the incumbent wishes to continue in the position beyond the expiration of his or her current appointment; and

3.1.2 Make a recommendation to the President as to whether it would be desirable to consider extending the incumbent’s appointment, the length of the proposed extension, and the terms and conditions of any such extension.

3.2 The President will consider the recommendation of the Responsible Executive.

3.3 If the President determines that it would be desirable to extend the incumbent’s appointment for one year or less, the President will make such recommendation to the Board of Governors. The Board of Governors normally will not authorize more than two such extensions.

3.4 If the President determines that it would be desirable to consider extending the incumbent’s appointment for more than one year, the President will convene an Advisory Committee as described in the Procedures and will consider the advice of the Advisory Committee in making a recommendation to the Board of Governors.

3.5 The President’s recommendation, which may include recommended terms and conditions of any extension, will be considered by the Board of Governors, which has the authority to extend the appointment of the Registrar or the University Librarian and to establish the terms and conditions for any such extension.

3.6 The Board of Governors will not authorize the extension of an appointment if it would result in the Registrar or the University Librarian serving more than 10 consecutive years.

3.7 If the incumbent does not wish to continue in the position beyond the expiration of his or her current term of appointment or if it is determined at any stage that an extension of the term of the incumbent should not be considered, the procedures for the recommendation and selection of candidates contained in the Registrar/Librarians Appointment Policy will apply.
4. **Pro Tem Appointments**

4.1 Notwithstanding anything else in this Policy or anything in the Registrar/Librarians Appointment Policy, the President may designate in writing that an individual, including the incumbent, take on the role of the *Registrar* or the *University Librarian* in a *pro tem* capacity where the incumbent’s appointment has ended and a successor has not yet taken office; provided, however, that:

4.1.1 any such designation normally shall not be for a period of more than 12 months; and

4.1.2 if successive designations are made, the aggregate designations normally shall not exceed 24 months.

4.2 For clarity, the stages outlined in Article 3 of this Policy do not apply to *pro tem* appointments.
Schedule to Registrar/Librarians Extension Policy

Definitions and Other Interpretation Rules

1. Definitions

In the Registrar/Librarians Extension Policy, the following terms have the meaning defined below, and shall have the same meaning in any Procedures associated with that Policy:

a. “Advisory Committee” means an advisory committee to the President as defined in Article 2.1.4.

b. “Librarians” means the members of UBC’s professional librarian staff.

c. “Registrar” means the Associate Vice-President, Enrolment Services and Registrar.

d. “University Librarian” means the person who is responsible for UBC’s overall library system across both UBC Okanagan and UBC Vancouver.

e. “Responsible Executive” means:
   1. individual(s) assigned by the President, from time to time, to be responsible for this Policy and any associated Procedures; and
   2. any sub-delegate of that assigned responsible individual(s) except to the extent that the power to delegate is specifically excluded in this Policy or in the appointment by the President.
PROCEDURES ASSOCIATED WITH THE REGISTRAR/LIBRARIANS EXTENSION POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Registrar/Librarians Extension Policy.

1. Assignment of Responsible Executive

1.1 The Responsible Executive will be the Provost and Vice-Principal, Academic (UBC Vancouver) in relation to matters regarding the University Librarian.

1.2 The Responsible Executive will be the Provost and Vice-Principal, Academic (UBC Vancouver) and the Provost and Vice-President, Academic (UBC Okanagan) in relation to matters regarding the Registrar.

2. Advisory Committee for the Extension of the Appointment of the University Librarian

2.1 The incumbent will provide the Advisory Committee with a report of accomplishments and challenges for review. The Advisory Committee will consider the incumbent’s report. The Advisory Committee will seek input from faculty members, students, and administrators. The Advisory Committee will also seek input from representatives of external bodies with which the University Librarian would normally interact. The mandate of the Advisory Committee will be to advise the President on extension of the incumbent’s appointment as University Librarian. The Advisory Committee may also advise the President on matters of future priorities for the library system.

2.2 For the University Librarian, the President will convene an Advisory Committee with the following membership:

<table>
<thead>
<tr>
<th>Position</th>
<th>#</th>
<th>Source/Composition</th>
<th>Appointed by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chair</td>
<td>1</td>
<td>Responsible Executive</td>
<td>Ex Officio</td>
</tr>
<tr>
<td>Secretary</td>
<td>*</td>
<td>A member of the administrative staff of the Responsible Executive *(non-voting and not counted in quorum)</td>
<td>Chair</td>
</tr>
<tr>
<td>Members</td>
<td>1</td>
<td>Associate Vice-President, Learning Services (UBC Okanagan)</td>
<td>Ex Officio</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Librarian elected by and from the Librarians associated with UBC Okanagan, other than the University Librarian</td>
<td>Librarians</td>
</tr>
</tbody>
</table>
### Advisory Committee Members

<table>
<thead>
<tr>
<th>1</th>
<th>Librarian elected by and from the <strong>Librarians</strong> associated with UBC Vancouver, other than the <strong>University Librarian</strong></th>
<th>Librarians</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Staff member from the UBC Library System other than a Librarian selected by the Chair of the <strong>Advisory Committee</strong></td>
<td>Chair</td>
</tr>
<tr>
<td>1</td>
<td>Student selected from the students registered at UBC Okanagan by the Chair of the <strong>Advisory Committee</strong> after consultation with appropriate student groups</td>
<td>Chair</td>
</tr>
<tr>
<td>1</td>
<td>Student selected from the students registered at UBC Vancouver by the Chair of the <strong>Advisory Committee</strong> after consultation with appropriate student groups</td>
<td>Chair</td>
</tr>
<tr>
<td>1</td>
<td>Faculty member selected by and from the UBC Okanagan Senate</td>
<td>Senate</td>
</tr>
<tr>
<td>1</td>
<td>Faculty member selected by and from the UBC Vancouver Senate</td>
<td>Senate</td>
</tr>
<tr>
<td>Additional Members</td>
<td>N/A</td>
<td>Such other person(s) as the President may choose to appoint</td>
</tr>
</tbody>
</table>

The Chair of the **Advisory Committee** must consult with the President before confirming the composition of the **Advisory Committee**.

2.3 **Senate Selections:** For Senators, the selection process is to be conducted in accordance with procedures satisfactory to the relevant Senate. Without limiting the generality of the foregoing, the Senate may authorize a committee (such as, for example, the Nominating Committee) to conduct the process or to simply nominate the Senators from that Senate.

2.4 For clarity, this process does not apply to **pro tem** appointments pursuant to Article 4 of the Policy.

### 3. Advisory Committee for the Extension of the Appointment of the Registrar

3.1 The incumbent will provide the **Advisory Committee** with a report of accomplishments and challenges for review. The **Advisory Committee** will consider the incumbent’s report. The **Advisory Committee** will seek input from faculty members, students, and administrators. The **Advisory Committee** will also seek input from representatives of external bodies with which the **Registrar** would normally interact. The mandate of the **Advisory Committee** will be to advise the President on extension of the incumbent’s appointment as **Registrar**. The **Advisory Committee** may also advise the President on matters of future priorities for the Office of the **Registrar**.
3.2 For the Registrar, the President will convene an Advisory Committee with the following membership:

<table>
<thead>
<tr>
<th>Position</th>
<th>#</th>
<th>Source/Composition</th>
<th>Appointed by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Co-Chairs</td>
<td>2</td>
<td>Responsible Executives</td>
<td>Ex Officio</td>
</tr>
<tr>
<td>Secretary</td>
<td>*</td>
<td>A member of the administrative staff of the Co-Chairs, selected by mutual agreement between the Co-Chairs *(non-voting and not counted in quorum)</td>
<td>Co-Chairs</td>
</tr>
<tr>
<td>Members</td>
<td>1</td>
<td>Member of the staff of the Registrar’s Office elected by and from the members of the staff of the Registrar’s Office, other than the Registrar</td>
<td>Staff</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Student selected from the students registered at UBC Okanagan by the Co-Chairs of the Advisory Committee from UBC Okanagan after consultation with appropriate student groups</td>
<td>Co-Chairs</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Student selected from the students registered at UBC Vancouver by the Co-Chairs of the Advisory Committee from UBC Vancouver after consultation with appropriate student groups</td>
<td>Co-Chairs</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Faculty member selected by the UBC Okanagan Senate</td>
<td>Senate</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Faculty member selected by the UBC Vancouver Senate</td>
<td>Senate</td>
</tr>
<tr>
<td>Additional</td>
<td>N/A</td>
<td>Such other person(s) as the President may choose to appoint</td>
<td>President</td>
</tr>
</tbody>
</table>

The Co-Chairs of the Advisory Committee must consult with the President before confirming the composition of the Advisory Committee.

3.3 **Senate Selections:** For Senators, the selection process is to be conducted in accordance with procedures satisfactory to the relevant Senate. Without limiting the generality of the foregoing, the Senate may authorize a committee (such as, for example, the Nominating Committee) to conduct the process or to simply nominate the Senators from that Senate.

3.4 For clarity, this process does not apply to pro tem appointments pursuant to Article 4 of the Policy.

4. **Replacement of Advisory Committee Members**

4.1 **Vacancy or Inability to Participate:** If a member of an Advisory Committee becomes unwilling or unable to serve as a member of the Advisory Committee before it has completed its work the Chair or Co-Chairs, as applicable, in consultation with the President, may appoint a replacement member. While the replacement member may be any person whose participation is expected to contribute significantly to the activities of the Advisory Committee, the usual practice is for the replacement member to be from the same stakeholder group as the person being replaced.
4.2 **Student Status:** If a student member of an *Advisory Committee* ceases to be a student at the University but remains willing and able to continue to serve as a member of the *Advisory Committee*, the Chair or Co-Chairs, as applicable, in consultation with the President and the relevant student group, may permit the student to continue to serve or may appoint a replacement student member. Any such replacement student must meet the same eligibility requirements as the student who is being replaced. For example, if the student being replaced is a student selected from the students registered at UBC Okanagan, the replacement student will be appointed from the students registered at UBC Okanagan.

4.3 If a replacement member is not appointed, the *Advisory Committee* may complete its work notwithstanding the vacancy.

5. **Customary Practices**

5.1 In making appointments to an *Advisory Committee*, including replacement appointments under Article 4, the President will endeavor to provide for a diverse and balanced *Advisory Committee*.

6. **Procedure for Advisory Committee**

6.1 The Chair or Co-Chairs of the Advisory Committee, as applicable, will be responsible for calling meetings.

6.2 Meetings may be held face-to-face, via telephone conference, video conference or any means determined by the Chair or Co-Chairs of the Advisory Committee, as applicable.

6.3 The quorum required to transact business at meetings will be a majority of the members of the Advisory Committee unless otherwise determined by the Chair or Co-Chairs, as applicable.

7. **Remuneration**

7.1 If the form or amount of remuneration of the *Registrar* or the *University Librarian* is to be changed upon commencement of an extension, such change must be established and documented in writing at or before the effective date of the extension.

8. **Administrative Leaves**

8.1 Where the *Registrar* or the *University Librarian* has been granted an administrative leave pursuant to the Procedures established under *Registrar/Librarians* Appointment Policy and the appointment of the *Registrar* or the *University Librarian* is extended pursuant to this *Registrar/Librarians* Extension Policy, the *Responsible Executive* may, in his or her discretion, permit the *Registrar* or the *University Librarian* to defer up to a maximum of six months of administrative leave to be taken at the end of the extended term.
8.2 In addition to any administrative leave deferred pursuant to Article 8.1 of these Procedures, as part of the terms of an extension, the Registrar or the University Librarian may be granted further administrative leave, to be taken at the conclusion of the extended term, provided however that any such grant of further administrative leave as well as any remuneration and/or benefits to be received by the Registrar or the University Librarian during any such further administrative leave must be documented in writing at or before the effective date of the extension. Recognizing that administrative leave is intended to provide a reasonable period of time for senior administrators who are returning to the academic ranks to focus on their scholarly and professional activities and to re-integrate with their disciplines before they resume their regular duties as faculty members or Librarians, administrative leave will only be granted where the Registrar holds a tenured appointment or where the University Librarian holds a confirmed appointment, and he or she actually returns to active duty as a faculty member or a Librarian for at least one year immediately after the period of the administrative leave. Furthermore, the aggregate amount of administrative leave granted to the Registrar or the University Librarian, including both administrative leave granted in respect of an appointment and any further administrative leave granted in respect of any extensions, may not exceed 18 months.

8.3 If an administrative leave is granted, time served as a Registrar or University Librarian and time taken on administrative leave will not be included in years of service for the purpose of calculating study leave.

8.4 During the period of administrative leave, the Registrar or University Librarian continues to be a full-time employee of the University, and is required to comply with the University’s policies and procedures.

8.5 Any arrangements with respect to administrative leave for a Registrar or University Librarian that were established and documented in writing prior to April 5, 2011 will not be affected by these Procedures.

8.6 Any deviations from the Articles of these Procedures dealing with administrative leave may only be made with the written approval of the President.
EXPLANATORY NOTES REGARDING THE
REGISTRAR/LIBRARIANS EXTENSION POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Registrar/Librarians Extension Policy. These Explanatory Notes do not replace or supersede the content of the Registrar/Librarians Extension Policy and its Procedures.

Policy Long Title: Extension of Appointments for Registrar and Librarians

Policy Short Title: Registrar/Librarians Extension Policy

Policy Number: AP13

Responsible Executive: Provost and Vice-President, Academic (UBC Vancouver)
Provan and Vice-Principal President, Academic (UBC Okanagan)

Responsible Board Committee: Employee Relations Committee

Related Policies: GA2 - Regulatory Framework Policy
AP11 - Registrar/Librarians Appointment Policy

History:

- The Registrar/Librarians Extension Policy was first approved by the Board of Governors in April 2011;
- The Registrar/Librarians Extension Policy was revised in December 2016;
- The Registrar/Librarians Extension Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Registrar/Librarians Extension Policy, its long title is Extension of Appointments for Registrar and Librarians, and its number is AP13. The previous identification number for this policy was #43.

Related Legislation: N/A
Background & Purposes:

This Policy outlines the persons with authority to acquire goods and services on behalf of the University and the principles upon which such acquisitions should be made. It also provides for the internal guidance of employees at the University and has no impact on the University’s relationship with third parties unless expressly part of a contract with them.

1. General

1.1 This Policy applies to the acquisition of all goods and services made on behalf of the University of British Columbia, including all capital expenditures and goods for resale.

1.2 Authority

1.2.1 No person shall commit the University to agreements, licences, contracts, leases, or other legally enforceable obligations unless authorized to do so by the Board of Governors or by the Department of Supply Management (to which power has been delegated by the Board of Governors.)

1.3 Principles

1.3.1 The acquisition of goods for the University will be conducted in accordance with the following principles:

(a) Probity – the highest level of personal and organizational integrity must accompany each transaction;

(b) Performance Measurement – transactions will be evaluated according to contractual standards agreed upon by the University and the supplier;

(c) Best Value – each decision should be made in the overall best interest of the University and its end users through the appropriate weighting of all decision making factors;
(d) Open and Fair Access – the supply community should be aware of, and permitted to compete for, supply opportunities in their demonstrated field of expertise;

(e) Community and Environmental Leadership – decision making factors may be weighted to acknowledge local business development and the University’s role in environmental leadership.

1.4 Delegation

1.4.1 The Vice-President, Administration and Finance and Operations is responsible to the Board of Governors for the correct application of this Policy.

1.4.2 The Director of Supply Management is responsible to the Vice-President, Administration and Finance and Operations for the implementation of this Policy. Through departmental officers the Director is responsible for ensuring that this Policy’s principles are understood, applied and measured.

1.4.3 The Department of Supply Management has been delegated authority by the Board of Governors to commit the University to binding supply agreements such as purchase orders, equipment leases, and contracts from all sources of University funds, including the general operating budget, research funds, capital funds and other monies held in trust for special purposes.

1.4.4 The Department of Supply Management has re-delegated its authority and accountability to other officials within the University and may continue to do so where there are valid business reasons to do so.

1.4.5 The Board of Governors has also directly delegated the authority to purchase certain commodities to specific operating units.

1.4.6 Heads of academic and administrative units are responsible for the implementation of this Policy to the extent they have been delegated purchasing authority by the Board of Governors or by the Department of Supply Management.

2. Procedures

2.1 Procedures that have been passed by the Board of Governors or the President in accordance with the Regulatory Framework Policy are available from the web site maintained by the Department of Supply Management at http://www.supplymanagement.ubc.ca.
EXPLANATORY NOTES REGARDING THE PURCHASING POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Purchasing Policy. These Explanatory Notes do not replace or supersede the content of the Purchasing Policy and its Procedures.

Policy Long Title: Purchasing

Policy Short Title: Purchasing Policy

Policy Number: FM2

Responsible Executive: Vice-President, Administration and Finance and Operations

Responsible Board Committee: Finance Committee

Related Policies: GA2 - Regulatory Framework Policy

History:
- The Purchasing Policy was first approved by the Board of Governors in October 1978;
- The Purchasing Policy was revised in May 2003;
- The Purchasing Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Purchasing Policy, its long title is Purchasing, and its number is FM2. The previous identification number for this policy was #122.

Related Legislation: N/A
The University of British Columbia
Board of Governors

Policy No.: FM5

Long Title: Endowment Management

Short Title: Endowment Policy

Background & Purposes:

The purposes of this Policy are to:

1. benefit all generations of endowment beneficiaries equally by maintaining the purchasing power of endowment capital over time;

2. ensure that the University is responsive to changes in the financial markets;

3. achieve stability and predictability in year-to-year spending;

4. preserve the University’s competitiveness relative to other comparable universities; and

5. provide for the periodic review of endowment funds to ensure that the use of such endowment funds are providing the maximum benefit for the advancement of the University’s academic mission, including educational and research activities carried on by the University which benefit society generally.

1. General

1.1 The University will manage endowment funds to ensure that investment returns support the quantity and quality of projects and programs for which the endowment funds were initially established. The University’s objective is that the capital of endowment funds grows at a rate equal to inflation in order to maintain the purchasing power of the endowment funds over time.

1.2 The University will manage spending from endowment funds to maintain the value of the capital of an endowment fund over time.

1.3 The University will establish one or more endowment pools. Individual endowment funds will be pooled for the purpose of investment into one of the endowment pools maintained by UBC. Such pooling is intended to enable the University to take advantage of economies of scale, reduce administrative expenses, and access investment strategies which are only available on a larger scale. UBC hires external investment fund managers (“External Managers”) to manage the investment of the endowment pools. The University will provide to the External Managers
investment policies for each of the endowment pools. Some External Managers charge fees against the investment returns before reporting the net investment returns to UBC, while other External Managers do not. The External Managers who do not charge fees against the investment returns before reporting the net investment returns to UBC will invoice UBC for their fees (the “External Investment Fees”). UBC will charge the External Investment Fees to funds within the applicable endowment pool on a pro rata basis. All other expenses related to development at the University and the investment, management and administration of the endowment pools will be assumed centrally by the University and the University will charge a fee to each endowment fund as more particularly described in the Procedures to this Policy. The total costs charged against the endowment pools should be benchmarked against other universities.

1.4 The University is committed to ensuring that the endowment funds maintained in the endowment pools are used in such a way as to maximize their benefits for the advancement of education at the University, including educational and research activities carried on by the University which benefit society generally. Therefore, after 25 years from the establishment of an endowment fund and periodically thereafter, the University will review the use to which endowment funds have been allocated in light of any changes that may have occurred at the University or in society generally since the endowment fund was created, keeping in mind the original spirit of the gift, and assess whether the then-current use continues to be relevant socially, scientifically or otherwise, and whether that use continues to be the most effective use of the fund. If the University is of the opinion that the endowment fund would be more effective if used differently, then the University may vary the endowment documentation to permit such use. Where the donor is an individual, the University will make reasonable efforts to seek the advice of the individual personally regarding any such variation. No variation to the endowment documentation will be effective until such variation is recommended by the President to the Board of Governors and approved by the Board of Governors.

1.5 The University will only create endowment funds where there is sufficient capital to justify the administrative costs associated with endowment funds and provide sufficient funding for the purposes for which the endowment fund is to be established.

1.6 This Policy does not apply to endowment funds that are subject to contrary trust terms and endowment funds held by other organizations for the exclusive benefit of the University as such funds are subject to the distribution and capital preservation policies of those organizations.

1.7 The University administration will provide periodic reporting to the Board of Governors to ensure appropriate oversight of University endowment funds.
PROCEDURES ASSOCIATED WITH THE ENDOWMENT POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Endowment Policy.

1. Establishment and Investment of the Endowment Pools

1.1 The endowment pools comprise all of the individual endowment funds established at the University. Responsibility for investment of the endowment pools rests with the Board of Governors. The Board of Governors has retained UBC Investment Management Trust Inc. ("IMANT"), a wholly owned subsidiary of the University, to administer and implement the management of the University’s endowment pools. Under its agreement with the University, IMANT is responsible for the day-to-day management, administration and investment of the endowment pools and is governed by Statements of Investment Policies and Procedures that are approved by the Board of Governors.

1.2 The University has established the following endowment pools:

1.2.1 the “Main Endowment Pool”; and

1.2.2 the “Sustainable Future Pool”, which, in addition to financial objectives, the University requires IMANT to incorporate the non-financial objective of materially lowering carbon dioxide emissions as compared to certain specified benchmarks, including the objective of reducing or excluding investments in companies that own fossil fuel reserves.

2. Spending Rate for the Endowment Pools

2.1 The spending rate for each of the endowment pools (each a “Spending Rate” and together the “Spending Rates”) is established by the Board of Governors annually based on advice from UBC Finance, UBC Treasury, and IMANT and is published on the UBC Finance website. In determining the appropriate Spending Rate for an endowment pool, the overall objective is to maintain the value of that endowment pool over time. Recognizing that negative market conditions are more difficult to compensate for than positive market conditions, the Spending Rates will be set with a view to maintaining an Aggregate Stabilization Ratio of 5%. The Aggregate Stabilization Ratio is the ratio between the aggregate balance of the Stabilization Accounts (as defined in section 3.1) and the aggregate balance of the Capital Accounts (as also defined in section 3.1) for all of the endowment funds in the applicable endowment pool.
2.2 The advice provided to the Board of Governors regarding each endowment pool by UBC Finance, UBC Treasury, and IMANT is informed by:

2.2.1 an annual evaluation by IMANT of the 10-year performance of the applicable endowment pool;

2.2.2 an annual assessment by UBC Finance, UBC Treasury, and IMANT of the historical smoothed and unsmoothed investment returns from the applicable endowment pool, costs charged against the applicable endowment pool, inflation and the aggregate balance of the Stabilization Accounts of the endowment funds in the applicable endowment pool; and

2.2.3 an independent asset and liability review conducted every three to five years by IMANT to assess the Spending Rates during the applicable period, the ability to preserve intergenerational equity, and the outlook for long term investment returns.

3. Allocation of Income and Costs from the Endowment Pools to Individual Endowment Funds

3.1 Each endowment fund within an endowment pool will have three accounts associated with it, namely a capital account (the “Capital Account”), a spending account (the “Spending Account”), and a stabilization account (the “Stabilization Account”).

3.2 The value of the Capital Account of an endowment fund represents the total of all capital contributions (including any Annual Allocations transferred in accordance with section 5.3 of these Procedures) that have been made to that endowment fund plus adjustments made at the end of each fiscal year to account for inflation.

3.3 The value of the Spending Account of an endowment fund represents the amount that is available to be spent in support of the purpose of the endowment fund. The Spending Account of an endowment fund is comprised of the amount allocated to spending for the current fiscal year pursuant to section 5 of these Procedures (the “Annual Allocation”), plus any accumulated unspent amounts from previous years.

3.4 The value of the Stabilization Account of an endowment fund represents the degree to which the market value of the endowment fund is greater or less than the inflation-adjusted value of all capital contributions made to the endowment fund. In other words, the sum of the Capital Account and the Stabilization Account of an endowment fund represents the market value of the endowment fund.

3.5 A pro rata share of all of the investment returns and losses of an endowment pool (including interest income, dividend income, realized capital gains and losses, and unrealized capital gains and losses) will be allocated monthly to the Stabilization Account of each endowment fund in that endowment pool based on the market value of the endowment fund relative to the market value of that endowment pool.

3.6 Subject to External Investment Fees charged against an endowment pool as described in section 3.7, all expenses related to development at the University and the investment, administration and management of endowment funds will be borne centrally by the University and the
University will charge a fee (the “Fee”). The Fee will be determined by the Responsible Executive but will not exceed an upper limit approved by the Board of Governors. The Fee will be charged to the Stabilization Account of each endowment fund in that endowment pool on a percentage basis based on the balance of the market value of the endowment fund.

3.7 A pro rata share of all External Investment Fees charged against an endowment pool as set out in section 1.3 of the Policy will be allocated to the Stabilization Account of each endowment fund in that endowment pool based on the market value of the endowment fund relative to the market value of that endowment pool. The External Investment Fees will be allocated as at the time the costs are incurred.

4. **Preservation and Encroachment of Capital Account**

4.1 The Capital Account of each endowment fund will be credited with each capital contribution at the time that the capital contribution is received.

4.2 To preserve the real value of each endowment fund on an inflation-adjusted basis, the Capital Account will be credited (and the Stabilization Account will be debited) as at the end of each fiscal year by an amount equal to the amount of inflation experienced during the fiscal year (as represented by the Canadian Consumer Price Index).

4.3 Although uncommon, circumstances may arise where it is advisable (if permitted by the terms of the endowed fund) to vary the terms of an endowment fund, or permit an encroachment of the Capital Account of an endowment fund. For the purposes of these Procedures, encroachment on an endowment fund means a transfer from the Capital Account of the endowment fund to either: the Stabilization Account or Spending Account of the endowment fund; or the Capital Account, Stabilization Account or Spending Account of another endowment fund. Due to the extraordinary nature of such requests, variation of and encroachments on the Capital Accounts of an endowment fund, where permitted by the terms of that endowment fund, may only occur upon the approval of the Board of Governors on the recommendation of the President.

5. **Annual Allocation**

5.1 The Annual Allocation is credited to the Spending Account and debited from the Stabilization Account of each endowment fund as at the beginning of each fiscal year. In addition, where a contribution is made to the Capital Account or an encroachment is made from the Capital Account to the Spending Account of an endowment fund partway through a fiscal year, an adjustment will be made to the Annual Allocation on a pro-rated basis. Subject to section 8.5, the Annual Allocation for a fiscal year is the amount calculated by multiplying the Spending Rate that has been established for that fiscal year for that endowment pool in which the endowment fund is invested by the rolling three-year average of the market value of that endowment fund. The rolling three-year average will be determined by adding the value of the Capital Account and the Stabilization Account of that endowment fund as at the end of each of the three preceding calendar years and dividing by three. For example, if the applicable Spending Rate for the fiscal year beginning April 1, 2017 is 4%, and the value of the Capital Account and the Stabilization Account of that endowment fund at the end of each of the three preceding
calendar years is as follows, then the Annual Allocation for the fiscal year beginning April 1, 2017 will be 4% x ($90.00+$103.10+$109.30)/3 = $4.03:

<table>
<thead>
<tr>
<th>Date</th>
<th>Capital Account (example only)</th>
<th>Stabilization Account (example only)</th>
<th>Market Value (sum of Capital Account and Stabilization Account)</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 31, 2014</td>
<td>$100.00</td>
<td>($10.00)</td>
<td>$90.00</td>
</tr>
<tr>
<td>December 31, 2015</td>
<td>$102.10</td>
<td>$1.00</td>
<td>$103.10</td>
</tr>
<tr>
<td>December 31, 2016</td>
<td>$104.30</td>
<td>$5.00</td>
<td>$109.30</td>
</tr>
</tbody>
</table>

5.2 Recognizing that Annual Allocations may vary from year to year, the person designated as the endowment fund manager for a Spending Account should limit fixed commitments against an endowment fund’s Annual Allocation to prudent levels, with the balance used for discretionary expenses. Any portion of the Annual Allocation not spent in a fiscal year will remain in the Spending Account and will be carried forward to the following fiscal year, unless UBC Finance is directed to transfer such amount to the endowment fund’s Capital Account in accordance with section 5.3.

5.3 Capitalization of Annual Allocations is normally avoided as it results in favouring future beneficiaries over present beneficiaries. However, circumstances may arise where it is desirable to build the Capital Account of an endowment fund. Upon the approval of the appropriate person referred to in section 6.4.1 or 6.4.2 of these Procedures, UBC Finance will transfer the unspent balance or portion thereof of an endowment fund’s aggregate Annual Allocations from its Spending Account to its Capital Account, provided that the value of the Stabilization Account is greater than zero. Where the value of the Stabilization Account is less than zero, the transfer will be made to the Stabilization Account.

5.4 Expenditures made in connection with an endowment fund should not reduce the value of the Spending Account below zero. If expenditures exceed the amount available in the Spending Account of an endowment fund, UBC Finance may suspend spending from that endowment fund until such time as the Spending Account is no longer below zero.

5.5 In order to respond to situations where the ratio between the balance of the Stabilization Account and the Capital Account for an individual endowment fund deviates excessively from the Aggregate Stabilization Ratio, the Responsible Executive may approve an adjustment to the amount of the Annual Allocation to be credited to the Spending Account and debited from the Stabilization Account of that endowment fund provided that:

5.5.1 the endowment fund must not be subject to special trust requirements that would make this inappropriate;

5.5.2 the endowment fund must be held and invested by UBC as part of an endowment pool and not by third parties;

5.5.3 the balance of endowment fund’s Stabilization Account balance must have deviated from the Aggregate Stabilization Ratio by more than of 15%;
5.5.4 where the adjustment is to be an increase in the amount of the Annual Allocation that would otherwise be debited from the Stabilization Account, the Responsible Executive must be satisfied that the increase would not adversely affect the financial health of the endowment fund;

5.5.5 where the adjustment is to be a decrease in the amount of the Annual Allocation that would otherwise be debited from the Stabilization Account, the Responsible Executive must be satisfied that the decrease is necessary to preserve or restore the financial health of the endowment fund; and

5.5.6 the magnitude of the adjustment must not exceed the lesser of (i) 0.5% of the balance of the Capital Account; and (ii) the amount necessary to bring the ratio between the Stabilization Account and the Capital Account for that endowment fund to within 15% of the Aggregate Stabilization Ratio.

6. Establishment of Endowment Funds

6.1 Responsibility for administration of endowment funds, including approval of endowment documentation (endowment trust agreement or terms of reference) rests with the Board of Governors. The Board of Governors has delegated authority to the President to approve, upon the recommendation of the University Counsel, the establishment of new endowment funds. Spending may begin upon execution of the endowment documentation by the President.

6.2 To facilitate the efficient establishment and administration of endowment funds at the University, endowment funds will be established in accordance with standard form documentation issued by the Office of the University Counsel. Where deviations from the standard form documentation are required, the Office of the University Counsel should be consulted.

6.3 Due to the funding requirements to achieve the purposes of certain endowment funds and the administrative costs involved with establishing endowment funds, the University’s practice in creating endowment funds is:

6.3.1 for endowed chairs, professorships and distinguished scholars ("Honorific(s)"), the gift establishing the endowment fund may differ from Faculty to Faculty, and the amount required will be commensurate with the goal of enhancing the capacity of an Honorific to undertake research, teaching and educational leadership activities. The Responsible Executive, as defined in the Honorifics Policy, will create guidelines establishing the minimum amounts required by Faculties and will periodically adjust the amounts required. Where an endowment to support an Honorific may be used in whole or part for salary and benefits of a UBC employee, a financial sustainability plan will be required in accordance with the Honorifics Policy;

6.3.2 for endowed fellowships, the gift establishing the endowment fund should be in the range of $200,000 to $400,000;

6.3.3 for all other endowed purposes, the gift establishing the endowment fund should be at least $50,000; and
6.3.4 smaller gifts should be added to existing endowment funds.

6.4 Monies at the University that are not subject to trust obligations (“Unrestricted Monies”) should not normally be transferred into the Capital Account of an endowment fund which is subject to trust obligations. Approval for transfers will be required from the Office of the University Counsel to ensure that Unrestricted Monies are not inadvertently transferred into an endowment fund which is subject to trust obligations. In addition, except where the transfer is made pursuant to section 8.5 of these Procedures, the transfer of Unrestricted Monies into the Capital Account or Stabilization Account of any endowment fund must be approved in writing by:

6.4.1 in the case of monies held within an academic unit:

(a) the Provost and Vice-Vice-President, Academic (UBC Vancouver) or the Vice-Vice-Provost and Associate Vice-President, Academic Resources—Affairs (UBC Vancouver); or

(b) the Provost and Vice-President, Academic Deputy Vice-Chancellor (UBC Okanagan), as appropriate; and

6.4.2 in all other cases, the appropriate Vice-Vice-President for the University account from where the monies will be transferred.

6.5 In addition to the endowment establishment process in this section 6, the establishment of endowments with Unrestricted Monies in the Sustainable Future Pool must be approved in writing by the Vice-Vice-President, Finance and Operations.

6.6 The University will only establish endowments with funds subject to a trust in the Sustainable Future Pool where documentation provides that:

6.6.1 the donor authorizes, but does not require (so as to retain flexibility over time), the University to consider non-financial criteria in making investment decisions;

6.6.2 the donor acknowledges that authorizing the University to make investment decisions considering non-financial criteria may result in differing financial performance (including potentially higher volatility) for the Fund while invested in the Sustainable Future Pool as compared to the other endowment pools at the University; and

6.6.3 the Board of Governors may, from time to time, make decisions regarding the Sustainable Future Pool which the Board of Governors considers to be in the best interests of the University, including but not limited to altering the non-financial criteria and the values on which the non-financial criteria are based, transferring the Fund from the Sustainable Future Pool to another endowment pool at the University and discontinuing the Sustainable Future Pool.

6.7 Any endowed trust established on or before April 14, 2017 will continue to be managed in the Main Endowment Pool, unless otherwise approved by the Board of Governors.
7. Reporting

7.1 IMANT will provide a quarterly report to the Responsible Executive and to the Board of Governors containing for each endowment pool: the details of the holdings of the investment portfolio; and the investment performance of that pool since the last report with comparative data against the investment policy benchmark, liability benchmark, and against peer groups. For the Sustainable Future Pool, IMANT will also report on performance criteria connected to those non-financial criteria as described in the Statement of Investment Policies and Procedures for the Sustainable Future Pool. This report will be made available to members of the public.

7.2 The Responsible Executive will provide quarterly reporting to the Board of Governors as follows:

7.2.1 Reporting on Stabilization Accounts: the number of and aggregate value of the Capital Accounts and Stabilization Accounts for:

(a) all endowment funds where the Annual Allocation is reduced pursuant to section 8.5 of these Procedures; and

(b) all remaining endowment funds where the Annual Allocation is not subject to the reduction referred to in section 8.5 of these Procedures; and

7.2.2 Additional Information: as requested by the Board of Governors from time to time.

7.3 The Responsible Executive will provide an annual report to the Board of Governors as follows:

7.3.1 Reporting on Spending Rates: recommendations with respect to the Spending Rates for the subsequent fiscal year; a comparison of the Spending Rates for the current fiscal year and the recommended Spending Rates for the subsequent fiscal year relative to other comparable universities; and the projected aggregate value of the Stabilization Accounts of all the endowment funds in the endowment pools at the current and, if different, subsequent Spending Rates;

7.3.2 Reporting on Stabilization Accounts: the number of and aggregate value of the Capital Accounts and Stabilization Accounts for:

(a) all endowment funds where the Annual Allocation is reduced pursuant to section 8.5 of these Procedures; and

(b) all remaining endowment funds where the Annual Allocation is not subject to the reduction referred to in section 8.5 of these Procedures; and

7.3.3 Additional Information: as requested by the Board of Governors from time to time.

7.4 For the Sustainable Future Pool, the Responsible Executive will provide a report at least every five years beginning in or before 2022, to the Board of Governors, or more frequently as requested by the Board of Governors from time to time regarding how the non-financial criteria of materially lowering carbon dioxide emissions and reducing or excluding investments in
companies that own fossil fuel reserves relates to the best interests of the University, addressing issues such as alignment of the non-financial criteria with the University’s vision and values, reputational impact among students, faculty and donors and examples of how those non-financial criteria has provided learning opportunities as a living lab.

7.5 As part of its regular reporting to the Board of Governors, the Development Office will include aggregate information on new endowment funds established at the University, including information on the number and value of the new endowments and into which endowment pool those new endowment funds were placed, with comparisons to previous years.

7.6 The Development Office will be responsible for periodic reporting to donors on the status of the endowment fund created as a result of the donor’s donation and UBC Finance will make accurate and timely information available to enable such reporting.

7.7 UBC Internal Audit will carry out routine audits of the Spending Accounts of endowment funds to ensure that spending is consistent with the permitted terms of the endowment fund and will provide an annual report to the Responsible Executive containing the results of its auditing activities.

7.8 UBC Finance will make quarterly statements available to the person designated as the endowment fund manager for an endowment fund, which will include the following information: opening and closing balances for each of the Capital Account, Spending Account and Stabilization Account; and a summary of all transactions entered against these accounts for the reporting period.

8. **Transitional Period**

8.1 This Policy and Procedures will come into effect on April 1, 2009.

8.2 UBC Finance will provide education and training to relevant members of the University community for the implementation and administration of this Policy and these Procedures.

8.3 For each endowment fund in existence as at December 31, 2008, if the market value of the endowment fund as at December 31, 2008 is greater than the aggregate capital contributions that have been made to that endowment fund (the “Contributions”), the value of the Capital Account as at January 1, 2009 will be set at that market value and the value of the Stabilization Account as at January 1, 2009 will be set at zero.

8.4 For each endowment fund in existence as at December 31, 2008, if:

8.4.1 the market value of the endowment fund as at December 31, 2008 is less than the Contributions;

8.4.2 any unspent amounts from previous years have been capitalized; and

8.4.3 it is legally permissible to do so;

then the University will:
8.4.4 encroach upon the endowment fund by debiting from the Capital Account and crediting to the Stabilization Account the lesser of the value of such previously capitalized amounts and the amount necessary to bring the balance of the Stabilization Account to zero; and

8.4.5 the value of the Capital Account as at January 1, 2009 will be set at the aggregate amount of the Contributions less any amounts decapitalized pursuant to section 8.4.4. The value of the Stabilization Account as at January 1, 2009 will be established by subtracting the value of the Capital Account from the market value.

8.5 For any endowment fund for which the value of the Stabilization Account is less than zero as at January 1, 2009 (the “Pre-Existing Deficit”), the Annual Allocation that would otherwise have been made pursuant to section 5.1 of these Procedures will be reduced by one-tenth of the Pre-Existing Deficit until the sooner of:

8.5.1 the aggregate value of the adjustments is equal to the amount of the Pre-Existing Deficit; or

8.5.2 the value of the Stabilization Account is no longer less than zero.
EXPLANATORY NOTES REGARDING THE ENDOWMENT POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Endowment Policy. These Explanatory Notes do not replace or supersede the content of the Endowment Policy and its Procedures.

Policy Long Title: Endowment Management

Policy Short Title: Endowment Policy

Policy Number: FM5

Responsible Executive: Vice-President, Finance and Operations

Responsible Board Committee: Finance Committee

Related Policies: GA2 - Regulatory Framework Policy
LR1 - Honorifics Policy

History: The Endowment Policy was first approved by the Board of Governors in November 1991; The Endowment Policy was revised in April 2017; The Endowment Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Endowment Policy, its long title is Endowment Management, and its number is FM5. The previous identification number for this policy was #113.

Related Legislation: N/A
Background & Purposes:
This policy is intended to guide all UBC’s fundraising activities and the acceptance of donations on behalf of UBC and the UBC Foundation.

1. Scope

1.1 This Policy applies to all persons, including students, soliciting gifts on behalf of UBC or the UBC Foundation (collectively referred to as “UBC”).

1.2 This Policy applies to all donations to UBC from donors.

1.3 A donation is a voluntary transfer of property from a donor to UBC without any expectation of return or benefit. In this Policy, the use of the term “gift” is used interchangeably with the term “donation”.

2. General

2.1 UBC is committed to excellence in pursuing its charitable purposes of teaching, research, scholarly pursuits and community service. UBC welcomes donations from individuals, industry, foundations and other sources that enable it to achieve its vision.

2.2 UBC values and will protect its integrity, autonomy and academic freedom, and will not accept donations when a condition of such acceptance would compromise these fundamental principles.

2.3 The Responsible Executive is responsible for the coordination of all fundraising activities, including the overall supervision and management of fundraising programs, administration of staff, and management of the cultivation, solicitation, and stewardship of all donors.

2.4 UBC generally accepts donations in the form of cash or cash-equivalents, or gifts-in-kind of personal and real property, either as outright donations or deferred donations through planned gift vehicles. Planned gift vehicles include but are not limited to wills, life insurance policies,
charitable gift annuities, charitable remainder trusts, gifts of residual interest, and gifts of retirement benefits.

2.5 Ownership of all donations vests in UBC, whether they are for the benefit of UBC generally or for some specific purpose in it.

2.6 Development and Alumni Engagement ("DAE") is responsible for issuing official donation receipts for donations received by UBC, in compliance with the requirements of the Income Tax Act (Canada), Canada Revenue Agency guidelines, and in accordance with procedures established by UBC.
PROCEDURES ASSOCIATED WITH THE FUNDRAISING POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Fundraising Policy.

1. Responsibility for Administration of Policy

1.1 Appointment of Responsible Executive: The individual assigned by the President to be responsible for the Fundraising Policy and these associated Procedures is the Vice-President, Development and Alumni Engagement.

1.2 Subdelegation: The Responsible Executive is not limited in sub-delegation of the duties hereunder but remains responsible for oversight and is answerable to the President.

2. Official Donation Receipts for Income Tax Purposes

2.1 UBC will issue official donation receipts in compliance with the Income Tax Act and Canada Revenue Agency guidelines, as amended from time to time.

2.2 When a donation is received from a donor, it is the responsibility of DAE, in consultation with the Office of University Counsel and any other academic or administrative unit (“Unit”) as appropriate, to determine whether it qualifies for an official donation receipt.

3. Fundraising Standards

3.1 UBC is committed to undertaking fundraising activities in accordance with the highest standards of accuracy, truth and integrity. All persons involved in fundraising on behalf of UBC are expected to adhere to the same standards. They will inform, serve, guide and otherwise assist donors who wish to support UBC’s activities but will not pressure or unduly persuade.

4. Legal and Financial Advice

4.1 UBC does not provide any legal, accounting, tax or financial advice to donors with respect to donations to UBC and encourages donors to seek independent legal, accounting, tax or financial advice from professionals. Donors are responsible for costs incurred from obtaining advice.
5.  Accepting Donations

5.1 DAE is authorized to negotiate donations on behalf of UBC. The Responsible Executive is authorized to accept donations on behalf of UBC under $5 million, unless the donation is sensitive and/or precedent-setting. The Responsible Executive is also authorized to decline any donation on behalf of UBC. Where the value of the donation equals or exceeds $5 million, or the donation is sensitive and/or precedent-setting and the Responsible Executive has not declined the donation, the Responsible Executive will make a recommendation to the President regarding the acceptance of the donation and the President will be responsible for deciding on behalf of UBC whether to accept or decline the donation.

5.2 In determining whether a donation is sensitive or precedent-setting, the Responsible Executive will consult with the Dean or Administrative Head of Unit responsible for the area or function of UBC that will benefit from the donation and will consider whether the donation:

5.2.1 could improperly benefit any individual or organization;

5.2.2 requires an arrangement to conduct business with a specified individual or organization or future employment;

5.2.3 is financially unsound;

5.2.4 could expose UBC to uncertain and potentially significant liability or unacceptable risk;

5.2.5 could compromise UBC’s public image, reputation or expose UBC to embarrassment;

5.2.6 may require work to sustain the donation that is disproportionate to the size or benefit of the donation;

5.2.7 may have come from illegal activities;

5.2.8 has terms that may require UBC to violate human rights;

5.2.9 would require UBC to expend resources on activities that are not consistent with its academic priorities; and/or

5.2.10 would give the donor or the donor’s representative the right to designate the recipient of a donation including an award, lectureship, professorship, chair, other honorific.

5.3 All donation agreements requiring execution by UBC must be executed on behalf of UBC by signatories who have been delegated signing authority under Board-approved signing resolutions.

6.  Donor Involvement

6.1 UBC recognizes that donors may wish to be actively engaged with UBC beyond making a financial contribution. UBC supports donor engagement that is consistent with section 2.2 of this Policy.
6.2 UBC employees are encouraged to make donations to support UBC’s charitable purposes, including research. However,

6.2.1 official donation receipts are not available where the donations is deposited into a research account over which the employee has signing authority; and

6.2.2 official donation receipts are normally not available when the donation is deposited into another account over which the employee has signing authority.

7. **Donor Anonymity**

7.1 UBC will, at the request of the donor, maintain the donor’s anonymity, subject to the following necessary limitations:

7.1.1 DAE maintains donor records as required by Canada Revenue Agency for official donation receipting purposes.

7.1.2 UBC will comply with legal and governmental obligations to disclose the names of donors and the nature and value of their donations as required under the Income Tax Act, the Freedom of Information and Protection of Privacy Act or other government policies or laws.

7.1.3 The identity of a donor requesting anonymity may be provided to the Board of Governors on an oral basis if the Board so requests. Such information is confidential and shall neither appear in the minutes of the meeting nor be used by Board members or officers outside the meeting of the Board of Governors.

7.1.4 Prospective donors requesting anonymity are advised by DAE that their names, and the nature and amounts of their donations, will be disclosed as above.

8. **Gifts-in-Kind**  

A *gift-in-kind* (”GIK”) is a donation in any form other than cash or cash-equivalents and normally requires valuation for official donation receipt purposes. Examples include personal property, such as special collections, artwork, equipment, securities, and cultural property; and real property.

8.1 **Additional Conditions of Acceptance**

8.1.1 The GIK should be such that it can be retained as a University asset and used in connection with University activities, with discretion as to its use and management, or disposed of for cash or cash equivalent with the proceeds to be used to support UBC’s mission at the discretion of UBC.

8.1.2 Where the donor has requested conditions be placed on the GIK such as restrictions on sale, leasebacks, life interests, life estates or in situations where the asset is difficult to appraise, DAE will consult with the Office of the Comptroller and the Office of University Counsel as appropriate.
8.1.3 DAE will request advice from UBC Risk Management Services office regarding any insurance issues that acceptance may entail.

8.2 Valuation for Official Donation Receipting Purposes of GIK other than Publicly-Traded Securities and Canadian Cultural Property

8.2.1 For a donation of $1,000 or less, a qualified University employee who is knowledgeable in the field of the donation can appraise the fair market value of the GIK, and an official donation receipt can be issued based on the appraisal.

8.2.2 For a donation over $1,000, an independent appraisal is required. If it is difficult or expensive to find an independent appraiser, a qualified University employee who is knowledgeable in the field of the donation can appraise the fair market value of the GIK, and this must be done in consultation with the Office of the Comptroller and the Office of University Counsel as appropriate. DAE may seek a second appraisal on donations of high value or of a complicated nature.

8.2.3 The cost of appraisals will normally be borne by the Unit that will ultimately benefit from the donation. In certain cases, such as where the GIK is difficult and expensive to appraise, the donor may be asked to absorb the cost.

8.3 Administration and/or Disposition of a GIK other than Publicly-Traded Securities and Canadian Cultural Property

8.3.1 Administration of a GIK, including disposition of the GIK, generally resides with the Unit that will benefit from the GIK, in consultation with DAE.

8.3.2 Costs of administration are normally paid from the operating or other budget of the Unit that will benefit from the GIK. If a GIK is sold, any outstanding administrative costs may be recovered from the sale proceeds.

9. Canadian Cultural Property

Canadian Cultural property is a specific type of GIK, which is property of outstanding significance and national importance to Canada and is eligible for special tax status.

9.1 The donation of Canadian Cultural Property is a unique process and subject to particular Canada Revenue Agency guidelines. To qualify for the special tax status, a donation of Canadian Cultural Property must be made to a designated recipient. At UBC, only the Library, the Belkin Gallery and the Museum of Anthropology are such designated recipients.

9.2 UBC applies on behalf of the donor to the Canadian Cultural Export Review Board to have the donation certified as Canadian Cultural Property. The Review Board, pursuant to its own guidelines, determines the appraised value, which the University must use for official donation receipt purposes.
9.3 While only certain Units may receive Canadian Cultural Property for special tax treatment, no Unit is precluded from accepting a gift eligible for regular official donation receipting that might otherwise have qualified as Canadian Cultural Property.

10. Publicly-Traded Securities

Publicly-traded securities are a specific type of GIK, and are securities traded on a stock exchange designated under the Income Tax Act (Canada).

10.1 Additional Conditions of Acceptance

It is UBC’s general practice to sell securities immediately upon receipt. UBC reserves the right, on a case-by-case basis, to hold the shares or to sell securities over a period of days, weeks or months if UBC determines that regular trading volume is not sufficient to absorb the securities without significantly adversely affecting their value.

10.2 Valuation for Official Donation Receipting Purposes

10.2.1 Official donation receipts will be issued based on the higher of the mid-point of the trading value and the closing value of the securities on the date when the donation is received by UBC.

(a) A donation that is electronically transferred from a broker’s account to UBC is received on the date the donation is received in UBC’s brokerage account.

(b) A donation that is a share certificate(s) signed by the donor is received on the day the certificate is delivered to UBC. If sent by mail, the donation is received on the date the mail is officially received at UBC. If the securities are re-registered in UBC’s name by the issuing company and then delivered, the effective date on the certificate is the date that the donation is received.

11. Estate Gifts

An estate gift is a donation where UBC is the beneficiary of a Will, life insurance policy or retirement benefits, or is appointed executor of a Will, or is the trustee of assets, and may be cash, cash-equivalent or GIK.

11.1 All notifications and correspondence regarding estates, copies of Wills and probate documents are forwarded to UBC’s Gift & Estate Planning Unit in DAE.

11.2 The Gift & Estate Planning Unit reviews the terms of the Will or other estate gift documentation. The Gift & Estate Planning Unit will consult with the Office of University Counsel as appropriate.

11.3 In those instances where a Will appoints The University of British Columbia or the UBC Foundation or any representative thereof as executor or trustee, the Responsible Executive will be responsible for carrying out the role.
12. Undesignated Gifts

12.1 Where the donor does not provide a wish or direction as to the specific use of the donation, it will be used at the discretion of the President for purposes that advance UBC’s vision.
The OUC has prepared these Explanatory Notes to provide context and background regarding the Fundraising Policy. These Explanatory Notes do not replace or supersede the content of the Fundraising Policy and its Procedures.

Policy Long Title: Fundraising and Acceptance of Donations

Policy Short Title: Fundraising Policy

Policy Number: FM6

Responsible Executive: Vice-President, Development and Alumni Engagement

Responsible Board Committee: People, Community & International Committee

Related Policies: GA2 - Regulatory Framework Policy  
LR1 - Honorifics Policy  
LR2 - Research Policy  
FM5 - Endowment Policy  
FM9 - Term Investments Policy  
GA6 - Naming Policy  
UP11 - Deaccessioning Policy

History:  
- The Fundraising Policy was first approved by the Board of Governors in September 1993;  
- The Fundraising Policy was revised in June 2015;  
- The Fundraising Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Fundraising Policy, its long title is Fundraising and Acceptance of Donations, and its number is FM6. The previous identification number for this policy was #114.

Related Legislation:  
Income Tax Act R.S.C. 1985, c. 1  
Freedom of Information and Protection of Privacy Act R.S.B.C. 1996, c. 165
1. General

1.1 Grant and contract accounts must fund all salary and benefits costs (whether in whole or in part), for personnel employed on the project being funded by the grant or contract.

1.2 While UBC is the employer in these circumstances, the financial liability for the salary and benefits rests with the grant or contract account, not the general purpose operating fund of the University.
Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Contract Employees Fund Policy.

1. General

1.1 Grant and contract accounts have historically been assessed for all salary and benefit costs associated with those accounts including both routine monthly deductions relating to specific health and welfare benefits and special deductions for large, one-time payments for expenses such as sick leave, salary top-up on paid Employment Insurance benefits during maternity/parental/adoption leave under the UBC Supplementary Employment Benefit (“SEB”) Plan, and working notice or pay in lieu of working notice upon termination.

1.2 In order to prevent individual grant or contract accounts from experiencing extreme financial hardship and to enable an orderly and consistent method of funding short-term sick leave, salary top-up during maternity/parental/adoption leave, and working notice or pay in lieu of working notice upon termination, the University has established a fund to provide a reasonably similar level of coverage to individuals funded by individual grant or contract accounts as that provided for employees funded from the general purpose operating fund (the “Extraordinary Expense Fund”). Post Doctoral Fellows including both employees and award recipients\(^1\) are eligible for coverage under the Extraordinary Expense Fund as described in clause 1.4 below.

1.3 The Extraordinary Expense Fund is funded primarily by premiums collected from grant and research accounts. Each account from which a grant or contract employee salary is paid will contribute to the fund a certain percentage (the “Contribution Percentage”) of all employee salaries under that account, excluding the salaries of graduate students. The Contribution Percentage is adjusted annually by the Department of Human Resources based on factors such as the experience of the previous year, the surplus or deficit status of the fund, and projections for future claims. For Post Doctoral Fellows who are award recipients, the applicable (i.e. home) department or faculty will contribute to the fund an amount equivalent to the Contribution Percentage on the portion of the total award that is paid out as earnings.

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\(^1\) Some Post Doctoral Fellows compete for, obtain, and are funded out of their own awards or fellowships. Other Post Doctoral Fellows are employees of the University and are paid out of awards or grants awarded to other UBC employees (usually Faculty).
1.4 Unless otherwise determined by the Department of Human Resources, the Extraordinary Expense Fund will pay the following extraordinary expenses:

1.4.1 Salary top-up payments during maternity/parental/adoption leave in accordance with the UBC SEB Plan for grant and contract funded employees who receive Employment Insurance, including Post-Doctoral Fellows with employee status;

1.4.2 Paid maternity/parental/adoption leave for Post-Doctoral Fellows who are award recipients equivalent to 95% of the portion of their total award that is paid out as earnings as follows:

<table>
<thead>
<tr>
<th>Leave Taken</th>
<th>Weeks Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maternity leave</td>
<td>The lesser of 17 weeks or until the end of the appointment</td>
</tr>
<tr>
<td>Parental leave (if not combined with a maternity leave or if not shared with a partner/spouse who has taken maternity leave) or adoption leave</td>
<td>The lesser of 12 weeks or until the end of the appointment</td>
</tr>
<tr>
<td>Parental leave (if combined with a maternity leave or if shared with a partner/spouse who has taken maternity leave)</td>
<td>The lesser of 10 weeks or until the end of the appointment</td>
</tr>
</tbody>
</table>

To be eligible for this benefit, Post Doctoral Fellows who are award recipients:

(a) Must be eligible for regular health and welfare benefits;

(b) Must have completed an appointment or consecutive appointments totaling at least one year with a 50% workload or greater; and

(c) Must currently hold an appointment of at least one year, with a workload of 50% or greater.

1.4.3 Up to five months of paid short-term sick leave for all grant and contract employees, including all Post-Doctoral Fellows with employee status, and Post Doctoral Fellows who are award recipients, following one month of continuous sick leave which is paid for by the applicable grant or contract, or failing that, from other sources;

1.4.4 Working notice or pay in lieu of working notice for all grant and contract funded employees, except Post Doctoral Fellows, provided that all of the following conditions are met:

(a) The termination is not for cause;
(b) The termination is the result of the grant or contract funding either not being renewed or being cancelled prior to the original termination date and without reasonable notice;

(c) The grant- or contract-holder gives the employee notice within five days of receipt of notice from the granting agency or contract source;

(d) The grant- or contract-holder has consulted Human Resources or Faculty Relations; and

(e) No alternative position can be secured at UBC.

1.5 Payments from the Extraordinary Expense Fund will not be made when a termination is for just cause or improperly conducted, nor to cover costs arising from grievances, arbitrations, or law suits related to employee terminations.

1.6 The Department of Human Resources determines the eligibility of claims for funding, and decides the disposition of cases where an individual has worked from a combination of accounts over his or her work history at UBC or special cases not covered by these guidelines. Human Resources also determines the required Contribution Percentage on an annual basis as per clause 1.3 of these Procedures, and will advise the University community accordingly. Any issues regarding the administration of the Extraordinary Expense Fund should be raised with Human Resources. If an issue cannot be resolved directly with Human Resources, it will be referred to the Vice President, Research & International and Innovation whose decision will be final.
The OUC has prepared these Explanatory Notes to provide context and background regarding the Contract Employees Fund Policy. These Explanatory Notes do not replace or supersede the content of the Contract Employees Fund Policy and its Procedures.

Policy Long Title: Extraordinary Expenses - Grant and Contract-Funded Employees

Policy Short Title: Contract Employees Fund Policy

Policy Number: FM7

Responsible Executive: Vice-President, Research & International and Innovation

Responsible Board Committee: Employee Relations Committee

Related Policies: GA2 - Regulatory Framework Policy

History:
- The Contract Employees Fund Policy was first approved by the Board of Governors in December 1994;
- The Contract Employees Fund Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Contract Employees Fund Policy, its long title is Extraordinary Expenses - Grant and Contract-Funded Employees, and its number is FM7. The previous identification number for this policy was #86.

Related Legislation: N/A
Background & Purposes:

The University manages risk on major construction projects through a variety of strategies incorporated into its project planning, delivery and procurement processes. Risk management strategies include the avoidance, reduction and transference of risk away from the University, as appropriate. However, some types of risk cannot be fully or economically managed through these means and in those cases, it is prudent and cost efficient to retain and self-insure against such risks.

The purposes of this Policy are:

1) To protect the University against retained risk on major construction projects through a central retained risk fund.

2) To provide a mechanism to effectively, consistently and transparently manage unforeseen budget surpluses and deficits on major construction projects.

1. Definitions

1.1 “Funds” means collectively, the UBC Okanagan Fund and the UBC Vancouver Fund and “Fund” means either the UBC Okanagan Fund or the UBC Vancouver Fund, as the context requires.

1.2 “Major Construction Project” means an academic or other institutional construction project, at either the UBC Vancouver or UBC Okanagan campus, including other UBC sites (e.g. UBC Robson Square), that has an aggregate estimated value of $2.5 million or more, and that has received the requisite capital project approval from the Board of Governors or the President’s Executive Committee (as the case may be).

2. Scope

2.1 This Policy applies to all Major Construction Projects.
3. Establishment of the Funds

3.1 The Responsible Executive will establish a retained risk fund for Major Construction Projects at the UBC Okanagan campus (the “UBC Okanagan Fund”) and a retained risk fund for Major Construction Projects at the UBC Vancouver campus and other UBC sites (e.g. UBC Robson Square) (the “UBC Vancouver Fund”).

3.2 The individual, administrative unit or entity responsible for the management of a particular Major Construction Project (the “Project Manager”) will take measures through its capital project planning, delivery and procurement processes to manage risk in a prudent and cost-efficient manner, including through the avoidance, reduction or transference of risk away from the University, as appropriate.

3.3 The purpose of the UBC Okanagan Fund and the UBC Vancouver Fund is to protect the University against risks arising from the construction of Major Construction Projects that cannot be prudently and efficiently managed by other means and result in cost overruns. The Funds are centralized funds in addition to the project-specific contingency allowance contained within each Major Construction Project’s budget.

3.4 The Funds will be maintained at a value that provides for reasonable protection against retained risk but does not unnecessarily withhold capital that could otherwise be put to higher use by the University.

3.5 Each Fund will be overseen by a committee (the “RRF Committee”) consisting of those individuals prescribed in the Procedures to this Policy.

4. Contributions to and Expenditures from the Funds

4.1 Each of the Funds will be financed in the following manner from Major Construction Projects on their respective campuses:

4.1.1 through the collection of a retained risk fee (the “Fee”) paid from each Major Construction Project, in the amount of 1% of the project’s total value (before GST and construction period financing charges). The amount of the Fee will be reviewed annually by the Board of Governors; and

4.1.2 through the transfer of surplus funds from the capital budget of each Major Construction Project, in the amount determined in accordance with the Procedures to this Policy.

4.2 Requests for expenditures from either Fund must be submitted by the Project Manager to the Managing Director, Infrastructure Development, in the form, manner and according to the timelines prescribed by the Managing Director, Infrastructure Development from time to time.

4.3 The Managing Director, Infrastructure Development will review each request for expenditure against the relevant Fund and make recommendations to the relevant RRF Committee. The RRF Committees will make the final decision with respect to requests for expenditures from their respective Fund.
PROCEDURES ASSOCIATED WITH THE RETAINED RISK POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Retained Risk Policy.

1. The RRF Committee

1.1 The RRF Committee for the UBC Vancouver Fund will be comprised of:

   1.1.1 the Vice-President, Finance and Operations; and
   1.1.2 the Provost and Vice-President, Academic (UBC Vancouver).

1.2 The RRF Committee for the UBC Okanagan Fund will be comprised of:

   1.2.1 the Vice-President, Finance and Operations; and
   1.2.2 the Deputy Vice-Chancellor Provost and Vice-President, Academic (UBC Okanagan).

2. Contributions to the Funds

2.1 If a Major Construction Project is completed and there is a surplus in the capital budget for that Major Construction Project, then such surplus will be transferred to the relevant Fund; provided however, where funding for the Major Construction Project has been facilitated or otherwise generated by a faculty, ancillary unit or other unit, there will first be a disbursement from the surplus funds to that faculty, ancillary unit or other unit that is proportionate to that faculty, ancillary unit or other unit’s actual contribution relative to the total capital budget.

3. Criteria for Appropriate Expenditures from the Funds

3.1 The Managing Director, Infrastructure Development and the relevant RRF Committee will consider applications for expenditures from a Fund toward the cost of the construction of a Major Construction Project on the basis that the application demonstrates:

   3.1.1 the construction of the Major Construction Project has resulted in cost overruns;
   3.1.2 the cost overruns were a result of extraordinary circumstances that:
(a) could not have been reasonably foreseen; and
(b) could not prudently or cost-effectively be managed using other available resources, changes or adjustments to the project scope, design, finishings or schedule, or any other appropriate means; and

3.1.3 the proposed expenditure is consistent with the purpose of the Funds.

3.2 For greater certainty, the Funds may not be used to pay for a shortfall in the amount of capital funding anticipated in a Major Construction Project’s budget or costs resulting from user group initiated changes to project design or scope.

4. Requests for Expenditure

4.1 Requests for expenditures against each of the Funds are to be submitted by the Project Manager to the Managing Director, Infrastructure Development with a specific description of the expenditure requirement and the supporting rationale.

4.2 The Managing Director, Infrastructure Development will evaluate each request against the criteria outlined above and make a recommendation to the appropriate RRF Committee. The RRF Committee may decide to approve the request, with or without conditions, deny the request, or delay their decision pending receipt of additional information.

4.3 Approval by the RRF Committee, if granted, will be made in writing signed by at least one member of the RRF Committee.

5. Investment of Funds

5.1 Each Fund will be invested as part of the University’s working capital and any interest and investments gains or losses attributable to the Fund will be credited to or debited from the value of the Fund.

5.2 In order to maintain each of the Funds at a value that provides for reasonable protection against retained risk but does not unnecessarily withhold capital that could otherwise be put to higher use by the University, each RRF Committee may seek the approval of the Board of Governors from time to time for transfers from its Fund to the general purpose operating fund for its campus. Without limiting the generality of the foregoing, an example of such a situation would be where the RRF Committee does not anticipate any significant Major Construction Projects for its campus in the near future.

6. Reporting Requirements

6.1 The Responsible Executive will present a report to the Board of Governors, annually, setting out:

6.1.1 the contributions to and the expenditures from the Funds; and
6.1.2 recommendations regarding the appropriate Fee for each campus on a going–forward basis in order to maintain the value of each Fund at a level sufficient to accomplish the objectives set out this Policy.

6.2 At least quarterly and as otherwise requested, the Managing Director, Infrastructure Development will present a report to the RRF Committee for each Fund setting out the following:

6.2.1 the value of the Fund and all expenditures from the Fund for the relevant reporting period;

6.2.2 the total value of Major Construction Projects underway at the relevant campus; and

6.2.3 the number of proposed Construction Major Projects on the relevant campus scheduled to seek the relevant institutional approvals in the following 5 year period.
EXPLANATORY NOTES REGARDING THE
RETAINED RISK POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Retained Risk Policy. These Explanatory Notes do not replace or supersede the content of the Retained Risk Policy and its Procedures.

Policy Long Title: Retained Risk Fund for Major Construction Projects

Policy Short Title: Retained Risk Policy

Policy Number: FM10

Responsible Executive: Vice-President, Finance and Operations

Responsible Board Committee: Finance Committee

Related Policies: GA2 - Regulatory Framework Policy

History:

- The Retained Risk Policy was first approved by the Board of Governors in September 2009;
- The Retained Risk Policy was revised in February 2017;
- The Retained Risk Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Retained Risk Policy, its long title is Retained Risk Fund for Major Construction Projects, and its number is FM10. The previous identification number for this policy was #125.

Related Legislation: N/A
The University of British Columbia
Board of Governors

Policy No.:
FM11

Long Title:
Capital Projects, Capital Purchases & Internal Loans

Short Title:
Capital Projects Policy

Background & Purposes:

Pursuant to the *University Act*, the Board of Governors must act in the best interests of UBC, and must ensure the proper management, administration and control of UBC’s property, revenue, business and affairs.

UBC receives funds from many sources, including governments, public agencies, contracting parties, and donors, to carry out its research and teaching mission.

The Board of Governors has identified certain types of capital expenditures as being associated with higher risk and requiring greater oversight as part of UBC’s risk management strategy.

The purposes of this Policy are to:

- ensure there is appropriate oversight of capital expenditures and internal loans commensurate with the value and risk associated with those activities; and
- establish a framework for requests, approvals, monitoring and reporting.

The approval requirements of this Policy are in addition to other Board of Governors Policies and Procedures, and the signing resolutions adopted by the Signing Committee of the Board of Governors, which govern signing agreements and commitments on behalf of UBC.

This Policy should be read in conjunction with:

- Land Use Policy;
- Purchasing Policy;
- Retained Risk Policy; and
- UBC’s Signing Resolutions.
1. **Scope**

1.1 This Policy applies to Capital Projects and Capital Purchases, and establishes different approval requirements based on their respective Aggregate Estimated Value. This Policy also applies to Internal Loans, and establishes different approval requirements based on loan value.

1.2 This Policy applies to Capital Projects and Capital Purchases regardless of the source of the funding or financing. For greater certainty, this Policy applies where a Capital Purchase or Capital Project is fully or partially funded by grants and agreements of any kind (including, but not limited to, research grants and agreements), and donations.

2. **Definitions**

2.1 In this Policy:

2.1.1 **“Aggregate Estimated Value”** means the aggregate estimated value of a Capital Project or Capital Purchase, which includes all costs and expenditures that may be reasonably expected as part of the project or purchase, as further described in the Procedures to the Policy.

2.1.2 **“Board”** means the UBC Board of Governors.

2.1.3 **“Capital Projects”** means, collectively, Construction Projects and IT Projects.

2.1.4 **“Capital Purchases”** means the purchase of physical and intangible assets (whether by way of ownership or leasehold interest, or license) that are used for productive purposes, that have a useful life of over one year, and that do not take place as part of a Construction Project or IT Project, including the purchase of:

(a) real property;

(b) equipment or software, or both, acquired or licensed for research purposes;

(c) mechanical and electronic equipment and related software;

(d) tools, vehicles, furniture and fixtures;

(e) any form of content for the UBC Library’s collections;

(f) works of art or other items for public display, education or research for UBC’s museums, art galleries or outdoor art collections; and

(g) any other purchases of a similar capital nature, as determined by the Responsible Executive.

2.1.5 **“Construction Projects”** means the construction, renewal, renovation, restoration, and replacement of buildings, structures, improvements, and other physical infrastructure, and any parts thereof.
2.1.6 “Executive” means the President’s Executive Committee.

2.1.7 “Internal Loans” means loans made by the UBC Treasury to UBC’s own academic, administrative and ancillary units in return for a commitment to repay the loan, with interest.

2.1.8 “IT Projects” means projects that involve the acquisition or development of software (including purchases, licenses, and subscriptions (e.g. software as a service)) or the acquisition of information technology hardware, or both, including upgrades from one major version to another, and a range of associated activities and services (including planning, scoping, requirements-gathering, installation, development, integration, configuration, and implementation).

3. Approvals, Generally

3.1 Regardless of the Aggregate Estimated Value of a particular Capital Project, Capital Purchase or Internal Loan, if:

3.1.1 the Responsible Executive determines that the matter is precedent-setting or sensitive; or

3.1.2 a member of the Board requests that the matter be brought before the Board for approval,

that Capital Project, Capital Purchase or Internal Loan (as the case may be) must be brought to the Board for approval, through the relevant Board approval process identified in this Policy and its Procedures.

3.2 The approvals required by this Policy are in addition to the requirements otherwise established by the Board, including, without limitation:

3.2.1 all procurements related to the Capital Projects and Capital Purchases must be made in compliance with Purchasing Policy;

3.2.2 all legally binding commitments and agreements required to carry out every Capital Project and Capital Purchase must be signed in accordance with the Signing Resolutions adopted by the Board’s Signing Committee, or as otherwise indicated by the Board;

3.2.3 all Construction Projects must comply with the Retained Risk Policy (as applicable) and the Land Use Policy, including all applicable Land Use Rules adopted thereunder, and the applicable Governance Requirements (as defined in Land Use Policy); and

3.2.4 Construction Projects on UBC’s Vancouver Campus must not be inconsistent with UBC’s Land Use Plan; and Construction Projects on UBC’s Okanagan Campus must be in accordance with the applicable land use bylaws and resolutions of the City of Kelowna.
4. Approvals for Capital Purchases

4.1 Every faculty, unit, department or individual that is responsible for a Capital Purchase must ensure that the purchase is made in good faith to advance UBC’s mission and mandate, is within the relevant budget or is otherwise fully funded, and that the purchase is conducted in compliance with all policies, rules and regulations relevant to that faculty, unit, department or individual, including the administrative directives issued by the Responsible Executive, or delegate in accordance with the Procedures to this Policy.

4.2 However, the execution of legally binding agreements or commitments to complete a Capital Purchase must be made either:

4.2.1 in accordance with the Signing Resolutions approved by the Signing Committee of the Board; or otherwise,

4.2.2 with the approval of the Board.

5. Approvals for Capital Projects (Construction Projects and IT Projects)

5.1 Capital Projects with an Aggregate Estimated Value of over $5 million require the approval of the Board.

5.2 Capital Projects with an Aggregate Estimated Value of $5 million or less require the approval of the Executive, or their delegate.

6. Consultants for Construction Projects

6.1 The procurement process for all Construction Projects must ensure that the process for selecting prime consultants (architects, engineers etc.) ensures the public’s confidence in the integrity of the selection process, including without limitation: the principles contained in Purchasing Policy, and ensuring that equal opportunities for consideration are provided to all interested and eligible firms. The Executive may issue administrative directives regarding selecting prime consultants, and upon publication, all Construction Projects where prime consultants are engaged, must comply with those directives.

6.2 It is expected that Construction Projects conducted on UBC premises (owned, leased or otherwise occupied or controlled) will be managed by a UBC department or related-entity with the mandate of providing professional project management and coordination services to UBC. In exceptional circumstances, the Responsible Executive or his/her delegate may approve the delivery of such services by other entities (e.g. the owner of a premises leased by UBC).

7. Budget Increases For Capital Projects

7.1 In this Section 7, the “Incremental Limit” is a proposed increase that is both:

- 15% or less of the originally approved Aggregate Estimated Value; and
- under $2.5 million.
7.2 Where there is a proposal to increase the Aggregate Estimated Value of a Capital Project, the following sections apply:

7.2.1 If the new, increased Aggregate Estimated Value remains within the monetary threshold of the original approval authority, approval for the increase must be sought from that same authority or, if the increase is within the Incremental Limit, the Responsible Executive or their delegate, provided that the Responsible Executive must report the approval to the original approval authority at the next reasonable opportunity.

7.2.2 If the new, increased, Aggregate Estimated Value exceeds the original approval authority’s monetary threshold:

(a) if the proposed budget increase is within the Incremental Limit, approval for the increase must be sought from the original approval authority, or the Responsible Executive or their delegate, provided that the Responsible Executive must report the approval to the original approval authority at the next reasonable opportunity; and

(b) in all other cases, approval for the increase must be sought from the next higher approval authority.

8. Internal Loans

8.1 Internal Loans with a value of over $5 million require the approval of the Board.

8.2 Internal Loans with a value of $5 million or less require the approval of the Executive, or their delegate.

8.3 The Responsible Executive shall establish administrative directives that set out the principles, criteria and approval processes for any UBC faculty or unit to obtain an Internal Loan, and the terms upon which Internal Loans will be granted.

8.4 All applications for Internal Loans must be developed and brought forward for approval in accordance with those administrative directives, and all Internal Loans must be granted on terms consistent with those administrative directives.

9. Planning and Reporting

9.1 The Executive shall establish the terms of reference for an advisory group named the Capital Planning Working Group, consisting of members from the UBC Vancouver and UBC Okanagan campuses, to:

9.1.1 evaluate and prioritize planned and foreseeable Capital Projects (that are determined to be “major” in the terms of reference);

9.1.2 propose a major capital priorities plan; and
9.1.3 propose the Provincially required five-year capital plan.

9.2 At least annually and at such other times as requested by the Board, the Responsible Executive will deliver a report to the Board:

9.2.1 on current Capital Projects and Internal Loans and those expected in the next fiscal year; and

9.2.2 the number and value of Capital Projects approved under this Policy in the preceding year, highlighting projects with high profile and significant impact on UBC.

10. Recording

10.1 All Capital Projects and Capital Purchases that meet the criteria established by the Responsible Executive must be recorded on the UBC Capital Asset Register established and administered by the Responsible Executive.

10.2 All Internal Loans must be recorded on the UBC Internal Loan Register established and administered by the Responsible Executive.
PROCEDURES ASSOCIATED WITH THE CAPITAL PROJECTS POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Capital Projects Policy.

1. General

1.1 Approval by the Board means a formal approval in accordance with the Board’s bylaws, rules and regulations. Matters brought before the Board for information only are not thereby deemed approved.

1.2 Approval by the Executive means approval by the executive committee established by the President, in accordance with that committee’s rules and regulations. Matters brought before the Executive for information only are not thereby deemed approved.

1.3 If there is any doubt about whether a particular purchase, acquisition, or project is a Construction Project, an IT Project, a Capital Purchase or an Internal Loan, then subject to any direction by the Responsible Executive, the following individuals may make the determination:

- Construction Project: Managing Director, Infrastructure Development
- IT Project: Chief Information Officer
- Capital Purchase: Executive Director, Financial Operations
- Internal Loan: Treasurer

1.4 Every delegation made under this Policy or these Procedures must be made in writing.

2. Requirements regarding the Aggregate Estimated Value

2.1 Where a Capital Project or Capital Purchase will or may reasonably be expected to require additional expenditures, whether because such expenditures will become necessary or advisable as a direct or indirect result of the project or purchase, or are otherwise part of an overarching project or strategy that is broader than the current project or purchase, the following sections apply:

2.1.1. the aggregate estimated value of these additional expenditures must be disclosed at the time of the request for the approval of the Capital Project or Capital Purchase (as the case may be); and
2.1.2. unless otherwise instructed by the Responsible Executive, if:

(a) these additional expenditures will be sought within the next two fiscal years; or

(b) these additional expenditures are material, as determined by the Responsible Executive,

the cost of these additional expenditures must be added to the Aggregate Estimated Value of the Capital Project or Capital Purchase.

2.2 The Aggregate Estimated Value of all Construction Projects must include the total estimated cost of the following, as applicable: construction, fixturing (furniture, fixtures and equipment), fitting out and commissioning, associated landscaping, soft costs (including architectural, engineering, project management, legal costs (internal and external), and other pre- and post-construction expenses), construction period financing costs, permit and development fees and charges (whether imposed by UBC or a municipal authority), contingencies, retained risk (if applicable, see Retained Risk Policy), taxes and such other costs as determined by the Responsible Executive.

2.3 The Aggregate Estimated Value of all IT Projects must include:

2.3.1 the estimated costs related to the acquisition or development of the asset(s) (e.g. software) including purchase, licensing or subscription (as the case may be) during the planning, scoping, configuration, customization, development, installation, implementation and integration phase of the IT Project (as the case may be), related vendor and third-party services (including project/program management, configuration, customization, implementation and integration services), contingencies, and taxes;

2.3.2 in a software as a service (or similar) acquisition, the estimated licensing/subscription fees, maintenance (if applicable) and support service fees, etc., for the anticipated initial term of the contract(s) with the service provider(s); and

2.3.3 such other costs (including applicable internal costs) as determined by the Responsible Executive.

2.4 The Responsible Executive may issue directives providing details, interpretations, and guidance regarding determining the Aggregate Estimated Value of Capital Projects.

3. Approvals for Capital Purchases

3.1 The Responsible Executive, or delegate, shall establish, maintain and publish administrative directives to manage the process for applying for the processing of all Capital Purchases, which shall at minimum include confirmation of the source and availability of funds for the purchase, and the required approvals from the unit originating the purchase.

3.2 Where the proposed Capital Purchase may be approved under a Signing Resolution authorized by the Signing Committee of the Board (i.e., the purchase is under $10 million and is not
precedent setting and does not involve sensitive issues) the faculty, department or unit proposing the purchase must ensure that the legally binding agreement or commitment to complete a Capital Purchase is entered into in accordance with the Signing Resolutions issued by the Signing Committee of the Board.

3.3 Where a proposed Capital Purchase may not be approved under a Signing Resolution authorized by the Signing Committee of the Board (i.e. the purchase exceeds $10 million, or is precedent setting or involves sensitive issues), the faculty, unit or department proposing the purchase must:

3.3.1 proceed in accordance with the administrative directives issued by the Responsible Executive, or delegate; and

3.3.2 seek Board approval through the relevant Dean, if the purchase relates to a faculty, the University Librarian, if the purchase relates to the UBC Library, or otherwise the Vice-President to whom the unit or department reports.

3.4 At least annually, the Responsible Executive shall present to the Board a report of the UBC’s aggregate spending on all Capital Purchases.

4. Approvals for IT Projects

4.1 References to the “Provost/DVC” in this Section 4 mean:

4.1.1 for IT Projects with a material impact upon both the UBC Vancouver and Okanagan campuses and off-campus sites and facilities under joint purview, both the Provost & and Vice–Vice-President, Academic (UBC Vancouver), and the Deputy Vice–Vice-Chancellor and Principal (UBC Okanagan);

4.1.2 for IT Projects with a material impact upon only the UBC Vancouver campus and off-campus sites and facilities under its purview, the Provost & and Vice–Vice-President, Academic (UBC Vancouver); and

4.1.3 for IT Projects with a material impact upon only the UBC Okanagan campus and off-campus sites and facilities under its purview, the Deputy Vice–Vice-Chancellor and Principal (UBC Okanagan).

4.2 For convenient reference, as further described in this Section 4, all IT Projects require the following approvals:

<table>
<thead>
<tr>
<th>Aggregate Estimated Value of the IT Project</th>
<th>Approval Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>under $2,500,000</td>
<td>Provost/DVC and Chief Information Officer, or their delegates (see Section 4.4 below)</td>
</tr>
<tr>
<td>$2,500,000 and over, up to $5,000,000</td>
<td>Executive</td>
</tr>
<tr>
<td>Over $5,000,000</td>
<td>Board</td>
</tr>
</tbody>
</table>
4.3 All IT Projects must be developed and brought forward for the approvals described above in accordance with any administrative directives issued by the Provost/DVC and Chief Information Officer.

4.4 Procedures for IT Projects under $2,500,000:

The Provost/DVC and Chief Information Officer have delegated approval authority as follows:

4.4.1 for IT Projects with an Aggregate Estimated Value of less than $250,000 and primarily for the benefit of and consistent with the approved budget of a faculty or unit, that faculty’s Dean or the unit’s Head (or equivalent) or their respective delegate;

4.4.2 for IT Projects with an Aggregate Estimated Value between $250,000 and $1,000,000 and consistent with the approved budget of initiating faculty or administrative unit, the Chief Information Officer;

4.4.3 for IT Projects with an Aggregate Estimated Value over $1,000,000, up to $2,500,000 and consistent with the approved budget of the Provost/DVC, the Provost/DVC;

4.4.4 notwithstanding the foregoing, for IT Projects with an Aggregate Estimated Value of $2,500,000 or less where greater than 60% of the funding is from a research grant, the Vice-Vice-President, Research and Innovation, or their delegate; and

4.4.5 for all other IT Projects, the Provost/DVC and Chief Information Officer, or their delegate.

4.5 Procedures for IT Projects $2,500,000 and over, up to $5,000,000:

4.5.1 The procedure for obtaining the approval of the Executive is the following multi-stage process:

(a) Provost/DVC 1 Approval: approval of the project idea and rationale.

(b) Provost/DVC 2 Approval: approval of funding release for activities required to proceed to the next approval. The information that will be required to obtain this approval will be determined by the Provost/DVC, and is expected to include: sponsors and advisors, high level scope, initial estimates of capital and operating costs, and funding sources.

(c) Provost/DVC 3 Approval: approval of funding release for activities required to proceed to the next approval. The information that will be required to obtain this approval will be determined by the Provost/DVC, and is expected to include: business case, outline overall expected duration, organizational (people) impact assessment, updated capital and operating budget envelope, and funding sources.

(d) Executive 1 Approval: approval of project in principle, business case, capital budget envelope and funding release for activities required to proceed to the next approval. The information that will be required to obtain this approval will be
determined by the Executive, but is expected to include: operating budget, overall expected duration of project, organizational (people) impact assessment and funding sources.

(e) Executive 2 Approval: approval of updated capital budget envelope and funding release for activities required to proceed to the next approval. The information that will be required to obtain this approval will be determined by the Executive, but is expected to include: governance structure, functional and technical requirements, business architecture, change management strategy and plan, funding sources, updated operating budget, revised overall duration of the project, privacy and security assessments, and identification of preferred supplier(s).

(f) Executive 3 Approval: approval of final capital budgets, final funding release and proceeding to award to supplier(s) and proceed to implementation. The information that will be required to obtain this approval will be determined by the Executive, but is expected to include: functional and technical fit/gap, solution architecture, detailed risks and constraints, implementation strategy and plan, revised change management strategy and plan, final operating budgets, funding sources, and financing (if required).

4.5.2 For each IT Project approved under this Section, the project’s proponent must submit a post-completion report to the Executive, for information only (sometimes referred to as an Executive 4 Report).

4.5.3 It is expected that all approval requests will be presented by the Chief Information Officer and, if applicable, representatives from the highest-ranking governance committee of the IT Project.

4.6 Procedures for IT Projects of over $5,000,000:

4.6.1 Prior to Board approvals described in this Section, IT Projects must have received Provost/DVC 3 approval, as described in the Section above.

4.6.2 The procedure for obtaining the approval of the Board is as follows:

(a) Executive 1 Approval: approval of project idea and rationale.

(b) Executive 2 Approval: approval of initial capital budget, and funding release for activities required to proceed to the next approval. The information that will be required to obtain this approval will be determined by the Executive, but is expected to include: sponsors and advisors, high level scope, initial operating budget, and funding sources.

(c) Executive 3 Approval: approval of updated capital budget envelope, and funding release for activities required to proceed to the next approval. The information that will be required to obtain this approval will be determined by the Executive, but is expected to include: business case, outline overall expected duration, Organizational (people) Impact assessment, and funding sources.
(d) **Board 1 Approval**: approval of project in principle, capital budget envelope and funding release for activities required to proceed to the next approval. The information that will be required to obtain this approval will be determined by the Board, but is expected to include: business case, outline overall expected duration, Organizational (people) Impact assessment, operating budget and funding sources.

(e) **Board 2 Approval**: approval of updated capital budget envelope (if applicable), proceeding to select supplier(s), and funding release for activities required to proceed to the next approval. The information that will be required to obtain this approval will be determined by the Board, but is expected to include: Governance structure, functional and technical requirements, Business Architecture, Change Management Strategy and Plan, updated operating budget, funding sources, revised overall duration, and privacy and security assessments.

(f) **Board 3 Approval**: approval of updated capital budget (if applicable) and final funding release, and authorization to proceed to award to supplier(s) and proceed to implementation. The information that will be required to obtain this approval will be determined by the Board, but is expected to include: functional and technical fit/gap, solution architecture, detailed risks and constraints, implementation strategy and plan, updated change management strategy and plan, final operating budget, funding sources, and financing (if required).

4.6.3 For each IT Project approved under this Section, the project’s proponent must submit a post-completion report to the Board, for information only. This is sometimes referred to as the Board 4 Report.

4.6.4 It is expected that all approval requests will be presented by at least the Provost/DVC and the Chief Information Officer.

5. **Approvals for Construction Projects**

5.1 For convenient reference, as further described in this Section 5, Construction Projects require the following approvals:

<table>
<thead>
<tr>
<th>Aggregate Estimated Value of the Construction Project</th>
<th>Approval Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under $2,500,000</td>
<td>Executive or delegate (see Section 5.3 below)</td>
</tr>
<tr>
<td>$2,500,000 and over, up to $5,000,000</td>
<td>Executive</td>
</tr>
<tr>
<td>Over $5,000,000</td>
<td>Board</td>
</tr>
</tbody>
</table>

5.2 All Construction Projects must be developed and brought forward for the approvals described in this Section in accordance with any administrative directives issued by the Executive or their delegate.
5.3 Procedures for Construction Projects under $2.5 million:

The Executive has delegated approval authority as follows:

5.3.1 for Construction Projects primarily for the benefit of and consistent with the approved budget of a faculty, that faculty's Dean or their delegate;

5.3.2 for Construction Projects primarily for the benefit of and consistent with the approved budget of the UBC Library, the University Librarian; and

5.3.3 for all other Construction Projects, the member of the Executive in whose portfolio the Construction Project primarily falls, or their delegate.

5.4 Procedures for Construction Projects $2,500,000 and over, up to $5,000,000:

5.4.1 The procedure for obtaining the approval of the Executive is as follows:

(a) Executive 1 Approval: approval of project concept, rationale, and funding release for activities required to proceed to the next approval.

(b) Executive 2 Approval: approval of site, initial capital and operating costs, funding sources, the master program and FTE/space allocation, and funding release for activities required to proceed to the next approval.

(c) Executive 3 Approval: approval of detailed capital and operating costs, funding sources, financing (if required), functional program, urban design context, and schedule and funding release.

5.4.2 It is expected that all approval requests will be presented by at least the Responsible Executive and the Managing Director, Infrastructure Development.

5.4.3 For each Construction Project approved under this Section, the project’s proponent must submit a post-completion report to the Executive, for information only (sometimes referred to as an Executive 4 Report).

5.5 Procedures for Construction Projects of over $5,000,000:

5.5.1 Prior to Board approvals described in this Section, Construction Projects must have received Executive 3 approval, as described in the Section above.

5.5.2 The procedure for obtaining the approval of the Board is as follows:

(a) Board 1 Approval: approval of project in principle, preliminary program and schedule, location, preliminary capital and operating budgets, funding sources, authorization to proceed to schematic design, and approval of funding release for next stage.
(b) **Board 2 Approval**: approval of revised capital and operating budgets (if applicable), and development permit, authorization to proceed to working drawings and tender, updated funding sources (if applicable), updated schedule, detailed program, and approval of funding release for next stage.

(c) **Board 3 Approval**: approval of final capital and operating budgets, funding sources, financing (if required), authorization to proceed to award construction contracts, and approval of final funding release.

5.5.3 It is expected that all approval requests will be presented by at least the Responsible Executive and the Managing Director, Infrastructure Development.

5.5.4 For each Construction Project approved under this Section, the project’s proponent must submit a post-completion report to the Board, for information only. This is sometimes referred to as the Board 4 Report.

5.6 **Exceptions**

For greater certainty, Construction Projects of various values (most often renovations, restorations, renewals and replacements) may be approved by the Executive and the Board as part of the annual routine capital program administered by UBC’s department of Infrastructure Development and Campus Operations and Risk Management (UBCO), or the annual budget of Student Housing and Hospitality Services. Unless otherwise indicated by the Executive or the Board, once so approved, such Construction Projects need not proceed through an additional approval process described below, provided however that the other provisions of this Policy apply to such projects.

6. **Internal Loans**

6.1 For Internal Loans valued at under $1 million, the Executive has delegated approval authority to the Responsible Executive.

6.2 For convenient reference, all Internal Loans require the following approvals:

<table>
<thead>
<tr>
<th>Loan Value</th>
<th>Approval Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>under $1,000,000</td>
<td>Responsible Executive</td>
</tr>
<tr>
<td>$1,000,000 and over, up to $5,000,000</td>
<td>Executive</td>
</tr>
<tr>
<td>Over $5,000,000</td>
<td>Board</td>
</tr>
</tbody>
</table>
EXPLANATORY NOTES REGARDING THE CAPITAL PROJECTS POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Capital Projects Policy. These Explanatory Notes do not replace or supersede the content of the Capital Projects Policy and its Procedures.

<table>
<thead>
<tr>
<th>Policy Long Title:</th>
<th>Capital Projects, Capital Purchases &amp; Internal Loans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy Short Title:</td>
<td>Capital Projects Policy</td>
</tr>
<tr>
<td>Policy Number:</td>
<td>FM11</td>
</tr>
<tr>
<td>Responsible Executive:</td>
<td>Vice President, Finance &amp; Operations</td>
</tr>
<tr>
<td>Responsible Board Committee:</td>
<td>Property Committee</td>
</tr>
<tr>
<td>Related Policies:</td>
<td>GA2 - Regulatory Framework Policy</td>
</tr>
<tr>
<td></td>
<td>UP13 - Land Use Policy</td>
</tr>
<tr>
<td></td>
<td>FM2 - Purchasing Policy</td>
</tr>
<tr>
<td></td>
<td>FM10 - Retained Risk Policy</td>
</tr>
<tr>
<td>History:</td>
<td>The Capital Projects Policy was first approved by the Board of Governors in June 2017;</td>
</tr>
<tr>
<td></td>
<td>The Capital Projects Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Capital Projects Policy, its long title is Capital Projects, Capital Purchases &amp; Internal Loans, and its number is FM11. The previous identification number for this policy was #126.</td>
</tr>
<tr>
<td>Related Legislation:</td>
<td>University Act R.S.B.C. 1996, c.468</td>
</tr>
</tbody>
</table>
Background & Purposes:

To communicate the applicability and enforcement of policies contained in the UBC Policy and Procedure Handbook, and to confirm authority for exceptions.

1. General

1.1 The UBC Policy and Procedure Handbook communicates policies and procedures which have university-wide application, and provides a basis for consistent and appropriate decision making on many issues.

1.2 Unless otherwise indicated within a specific policy or its procedures, policies and procedures apply to all members of faculty and staff and, where indicated, students at the University. Policies and procedures in the Policy and Procedure Handbook are for the internal guidance of members of faculty and staff at UBC, and have no impact on the relationship with third parties unless expressly part of a contract with them.

1.3 It is the responsibility of all members of faculty and staff to familiarize themselves with the contents of the Policy and Procedure Handbook and to conduct themselves accordingly. It is the responsibility of all administrative heads of unit to communicate with those under their direction about the application of policies and procedures in their units, to ensure compliance, and to take appropriate action if problems arise.
PROCEDURES ASSOCIATED WITH THE REGULATORY FRAMEWORK POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Regulatory Framework Policy.

1. General

1.1 Members of faculty and staff are responsible for familiarizing themselves with the contents of the UBC Policy and Procedure Handbook and for conducting themselves accordingly. Where policies or procedures in the Handbook are inconsistent with provisions in any existing agreement between the University and its faculty and/or staff, that agreement will prevail.

1.2 Administrative heads of units are responsible for the dissemination of the UBC Policy and Procedure Handbook to all members of faculty and staff in their units. They are responsible for ensuring that the policies and procedures are appropriately communicated and applied in their units.

1.3 For advice on the interpretation or application of policies or procedures, including requests received for exceptions, administrative heads of unit should first consult with the person to whom they report, and if necessary, with the Vice-Vice-President listed as responsible for the policy. In addition, the administrative head of unit may find it helpful to consult with the Department of Human Resources (in the case of an infraction by a member of the non-academic staff) or the President’s Office, Faculty Relations (in the case of an infraction by a member of the academic staff). Authority to approve individual requests for exceptions rests with the Vice-Vice-President responsible for the policy.

1.4 Procedures are understood to include the access requirements of persons with disabilities for information and communication in complaint, investigative, reporting and similar processes.

1.5 Procedures may be amended by the President, provided the new procedures conform to the approved policy. Such amendments are reported at the next meeting of the Board of Governors and are incorporated in the next publication of the UBC Policy and Procedure Handbook.

2. Definition

2.1 An administrative head of unit is a Director of a service unit, a Head of an academic department, a Director of a centre, institute or school, a Principal of a college, a Dean, an Associate Vice-Vice-President, the Registrar, the University Librarian, a Vice-Vice-President or the President.
EXPLANATORY NOTES REGARDING THE
REGULATORY FRAMEWORK POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Regulatory Framework Policy. These Explanatory Notes do not replace or supersede the content of the Regulatory Framework Policy and its Procedures.

Policy Long Title: Administration of Policies

Policy Short Title: Regulatory Framework Policy

Policy Number: GA2

Responsible Executive: University Counsel

Responsible Board Committee: Governance Committee

Related Policies: N/A

History:
• The Regulatory Framework Policy was first approved by the Board of Governors in May 1993;
• The Regulatory Framework Policy was revised in March 1995;
• The Regulatory Framework Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Regulatory Framework Policy, its long title is Regulatory Framework for the Administration of Board Policies and Procedures, and its number is GA2. The previous identification number for this policy was #1.

Related Legislation: N/A
Background & Purposes:

The purposes of this Policy are:

- To ensure that the University’s Records are created, managed, retained, and disposed of in an effective and efficient manner;
- To facilitate the efficient management of the University’s Records through the development of a coordinated institutional Records Management program;
- To ensure preservation of the University’s Records of permanent value; and
- To support both protection of privacy and freedom of information services throughout the University.

1. Scope

1.1 This Policy applies to all departments and administrative units of the University, to all Records, and to all University officers and employees who create, receive or maintain Records in the course of their duties on behalf of the University.

2. General

2.1 All Records are the property of the University and subject to its overall control. The University will manage all Records subject to applicable federal and provincial laws and university policies. Employees leaving UBC or changing positions within UBC are to leave all Records for their successors.

2.2 All Records must be retained for as long as they are required to meet legal, administrative, operational, and other requirements of the University. The University Archives, in consultation with the Office of the University Counsel and affected University Departments, will issue Records Retention Schedules that prescribe the periods for which Records must be retained. The University Archives will also provide leadership and advice concerning the management of

2.3 Records disposition must be carried out in the manner established by the applicable Record Retention Schedules and the Records Management Manual or in such other manner as may be approved by University Archives in consultation with the Office of the University Counsel.

2.4 It is the responsibility of the individual units to ensure that the appropriate security measures are observed for maintaining Records containing personal or other confidential information. Records destruction should ensure that all personal or confidential information is destroyed in a permanent and secure manner.

2.5 Operational responsibility for Records Management rests with the Vice-Vice-Presidents and administrative heads of unit.

3. Definitions

3.1 Destruction means the process of eliminating or deleting Records beyond any possible reconstruction.

3.2 Disposition is the action taken in regard to the disposal of Records, which can involve physical destruction by means of burning, pulping, shredding or recycling; secure deletion of electronic records, or physical destruction of electronic storage media; transfer to archival storage for selective or full retention; or special disposal through sale, grant or other formal act of alienation from the custody of the University.

3.3 Record means recorded information, regardless of medium or characteristics, which the University creates, receives or maintains in connection with the conduct of the University’s affairs.

3.4 Records Management means efficient and systematic control of the creation, receipt, maintenance, use and disposition of Records used in the administration and operation of University activities.


3.6 Records Retention Schedule is a control document that describes the Records at a series level and indicates the length of time each series should be retained as semi-active prior to final Disposition; and the final Disposition of each series. This document serves as the legal authorization for the disposal of Records. The Records Retention Schedules are available on the University Archives website http://www.library.ubc.ca/archives/rrsda.html.
EXPLANATORY NOTES REGARDING THE RECORDS MANAGEMENT POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Records Management Policy. These Explanatory Notes do not replace or supersede the content of the Records Management Policy and its Procedures.

Policy Long Title: Records Management

Policy Short Title: Records Management Policy

Policy Number: GA4

Responsible Executive: Provost and Vice-President, Academic (UBC Vancouver)

Responsible Board Committee: Audit Committee

Related Policies: N/A

History:
- The Records Management Policy was first approved by the Board of Governors in March 1996;
- The Records Management Policy was revised in February 2008;
- The Records Management Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Records Management Policy, its long title is Records Management, and its number is GA4. The previous identification number for this policy was #117.

Related Legislation: N/A
To fulfill its mission, the University receives support from society -- from volunteers, from financial donors -- and from the exemplary work of the University's students, faculty and staff. This Policy sets forth the process for recognizing truly outstanding contributions to the University's mission in ways that protect and celebrate the core values of the University.

1. General

1.1 A decision to construct or renovate a building, establish an endowed Chair or endowed Professorship, or begin a program is to be taken on the basis of established academic and other operational criteria and approved in keeping with the University’s established practices and academic mission.

1.2 Naming will be independent of all appointment, admission and curriculum decisions, which the University will continue to make in keeping with its established practices and academic mission. Naming associated with a particular facility or endowment will not preclude further naming within the facility, program or Faculty.

1.3 When name recognition has been extended for a gift received, it will be honoured in accordance with the agreement that was entered into. In the event of changed circumstances, the University reserves the right to determine the form of name recognition, in consultation with the donor when possible.

1.4 Naming may be offered to those whose accomplishments or generosity advance the academic mission of the University; further the capacity of the University to meet its teaching and scholarly objectives and to serve its community; and enhance the growth and reputation of the University.

1.5 Facilities or activities supported by gifts may be named after a donor, or a third party at the wish of a benefactor, provided that the donation represents a significant part of the cost or is regarded as central to the completion of the facility or activity.
1.6 Only in exceptional circumstances will facilities or activities be named to honour outstanding service of members of faculty or staff while the honouree remains in the full-time employment of the University.

1.7 The University reserves the right to decline or revoke naming recognition if the naming would bring the University into disrepute.

1.8 The naming opportunities at the University have been divided into the three major categories:

1.8.1 Naming of Campus Facilities

1.8.2 Naming of Chairs and Professorships

1.8.3 Naming of Academic Institutions

1.9 Minimum funding requirements for naming recognition in each category will be established by the Vice-President, Development and Alumni Engagement and the Vice-President, External, Legal and Community Relations, subject to the approval of the President, and reviewed on an ongoing basis.

1.10 All new names shall be filed with the Secretary to the Board of Governors and, in the case of Campus Facilities, the Director, Campus and Community Planning. The President’s Office shall be responsible for informing the University community of all new names.

1.11 This Policy applies to donors to both the University and the UBC Foundation.

1.12 This Policy does not apply to any arrangements already in existence at the date the Policy is adopted, or to arrangements that may be made pursuant to discussions with donors that had already commenced at the date this Policy was adopted, even though the arrangements do not conform to the Policy.

2. Naming of Campus Facilities

2.1 The naming of Campus Facilities at the University falls into four classes.

2.1.1 Class 1 - Facilities that are part of the outside environment of the University such as, for example, buildings, complexes of buildings, roads, walkways, playing fields, parks, gardens, and agricultural or forestry plots.

2.1.2 Class 2 - Facilities that are part of inside space such as, for example, library/reading rooms, laboratories, seminar rooms, galleries, recreational courts, and lounges.

2.1.3 Class 3 - Facilities that are made up of portable items such as, for example, collections of art and/or artifacts that are identifiable because of a specific focus or purpose.

2.1.4 Class 4 - Tribute markers, plaques, medallions or other markers usually in association with such features as trees, benches, or small monuments.
2.2 In order to ensure that the naming of Campus Facilities is compliant with the University’s internal approval process as well as any applicable provincial government policies, the Vice-President, Development and Alumni Engagement will be responsible for ensuring that any proposal to name a Campus Facility is submitted to Campus and Community Planning and to UBC Government Relations. Campus and Community Planning will oversee the process of securing internal approval of the naming proposal and UBC Government Relations will oversee the process of securing any applicable approvals from the provincial government.

2.3 New names for Campus Facilities in Class 1 require a recommendation from the President and the approval of the Board of Governors. The President shall engage in a consultation process as may be set out more particularly in the Procedures to this Policy prior to recommending to the Board of Governors any new names for such Campus Facilities. If any applicable approvals from the provincial government are still outstanding, the approval of the Board of Governors will be subject to such government approvals being secured.

2.4 New names for Campus Facilities in Classes 2, 3 and 4 require the approval of the President. The President shall engage in a consultation process as may be set out more particularly in the Procedures to this Policy prior to approving any new name for such Campus Facilities. If any applicable approvals from the provincial government are still outstanding, the approval of the President will be subject to such government approvals being secured.

3. Naming of Chairs and Professorships

3.1 The establishment of an endowed Chair, including the designation of its name, requires the approval of the relevant Senate.

3.2 The establishment of an endowed Professorship, including the designation of its name, requires the approval of the Dean of the appropriate Faculty and the Provost and Vice-President, Academic (UBC Vancouver) in the case of an endowed Professorship at UBC Vancouver or the Deputy Vice-Chancellor Provost and Vice-President, Academic (UBC Okanagan) in the case of an endowed Professorship at UBC Okanagan.

4. Naming of Academic Institutions

4.1 In this section, the term “academic institutions” includes, inter alia, Faculties, Schools, Libraries, Programs, Centres and Institutes.

4.2 The naming of academic institutions is a sensitive matter.

4.3 The Provost and Vice-President, Academic (UBC Vancouver) or the Deputy Vice-Chancellor Provost and Vice-President, Academic (UBC Okanagan), as applicable, before recommending any such naming, must ensure that:

4.3.1 the proposed name is compatible with the broader purposes of the university;

4.3.2 the autonomy of the academic institution in question and the academic freedoms to which UBC is committed will be safeguarded; and
4.3.3 a significant portion of the total operating budget of the academic institution in question, will be covered by any donation under this Policy.

4.4 In the bringing forward a proposal for the naming of an academic institution, the Provost and Vice-President, Academic [UBC Vancouver] or the Deputy Vice-Chancellor Provost and Vice-President, Academic [UBC Okanagan], as appropriate, shall secure the support of the members of the academic institution involved.

4.5 The President shall then consult with an ad hoc committee which shall include the appropriate Dean(s) where relevant, the Vice-President, External, Legal and Community Relations, the Vice-President, Development and Alumni Engagement, the administrative head of the academic institution in question; the Chair of the Senate Academic Policy Committee and such other members as the President shall designate.

4.6 The proposal shall then be brought to the Board of Governors for its approval.
PROCEDURES ASSOCIATED WITH THE NAMING POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Naming Policy.

1. Naming of Campus Facilities

   1.1 Internal approval for new names for Campus Facilities in Class 1 is to be secured as follows:

      1.1.1 Except in urgent cases, all proposals for naming of Campus Facilities in Class 1 will be initially evaluated by Campus and Community Planning. Campus and Community Planning may establish criteria and procedures for evaluating such proposals. Campus and Community Planning may consult with stakeholders such as, for example, developers if the Class 1 Campus Facility is a road in a residential development, faculty members if the Class 1 Campus Facility is a road in the academic core of the University, or the Deputy Vice-Chancellor and Principal, [UBC Okanagan] if the Class 1 Campus Facility is located at the UBC Okanagan campus.

      1.1.2 The Naming Committee will consider the proposal in light of the evaluation by Campus and Community Planning and make a recommendation to the President.

      1.1.3 The Naming Committee shall have the following members:

          (a) the Responsible Executive or designate (Chair);

          (b) the Chancellor;

          (c) the Provost and Vice-President, Academic [UBC Vancouver] or designate;

          (d) the Vice-President, Development and Alumni Engagement or designate;

          (e) the Associate Vice-President, Campus and Community Planning or designate;

          (f) the Associate Vice-President, Administration and Finance and Operations, [UBC Okanagan] or designate;

          (g) a Dean (appointed by the President);
(h) the Dean of the Faculty or director of the non-Faculty unit most closely associated with the Class 1 Campus Facility or designate;

(i) an alumnus/a (appointed by the President);

(j) a faculty member (appointed by the President);

(k) a member of staff (appointed by the President);

(l) a student (appointed by the President); and

(m) if the Campus Facility in question is a Neighbourhood Amenity, the Chair of the Board of Directors of the University Neighbourhoods Association or a Director of the University Neighbourhoods Association designated by the Chair of the Board of Directors of the University Neighbourhoods Association for this purpose.

For the purposes of these Procedures, the term “Neighbourhood Amenity” shall mean a community amenity, including park-like spaces, playing fields, or structures, that is located within Hampton Place or one of the local planning areas identified in Schedule “C” to the Official Community Plan for Electoral Area A and that is constructed in whole or in part using funds from the Community Amenity Charge but shall specifically exclude roads and walkways.

1.1.4 The Naming Committee may recommend to the President that a facility be named to reflect its use (for example, the General Services Administration Building); or to honour someone associated with the University (for example, the Henry Angus Building); or to recognize a donor (for example, the Kinsmen Laboratory for Neurological Research). Where the Campus Facility in question is a Neighbourhood Amenity, any recommendation of the Naming Committee and any recommendation of the President to the Board of Governors shall include a statement as to whether the Chair of the Board of Directors of the University Neighbourhoods Association or the Director of the University Neighbourhoods Association designated by the Chair for this purpose, as the case may be, supports or opposes the recommendation.

1.1.5 If the President accepts the recommendation of the Naming Committee, the President will forward the recommendation to the Board of Governors for approval.

1.2 Internal approval for new names for Campus Facilities in Class 2 is to be secured as follows:

1.2.1 Campus and Community Planning will seek the recommendations of:

(a) the Responsible Executive;

(b) the Vice-President, Development and Alumni Engagement,

(c) the Vice-President who has responsibility for the use or functional purpose of the facility, such as, for example, the Provost and Vice-President, Academic (UBC Vancouver) in the case of the Irving K. Barber Learning Centre and the Deputy Vice-
Chancellor and Principal (UBC Okanagan) for a Class 2 Campus Facility located at the UBC Okanagan campus; and

(d) if the name relates to academic space that is functionally related to a specific Faculty, the Dean of that Faculty.

1.2.2 If all of the persons identified in Article 1.2.1 recommend that the naming proposal be approved, Campus and Community Planning will forward the proposal to the President for approval. If any applicable approvals from the provincial government are still outstanding, the approval of the President will be subject to such government approvals being secured.

1.3 Internal approval for new names for Campus Facilities in Class 3 is to be secured as follows:

1.3.1. Campus and Community Planning will seek the recommendation of:

(a) the appropriate Dean for facilities which are functionally related to a specific Faculty; or

(b) the appropriate Vice-President for facilities outside the Faculties.

1.3.2. If the person identified in Article 1.3.1 recommends that the naming proposal be approved, Campus and Community Planning will forward the proposal for approval to:

(a) the Responsible Executive,

(b) the Vice-President, Development and Alumni Engagement; and

(c) in the case of a Class 3 Campus Facility at the UBC Vancouver campus, the Provost and Vice-President, Academic (UBC Vancouver), or in the case of a Class 3 Campus Facility at the UBC Okanagan campus, the Deputy Vice-Chancellor and Principal (UBC Okanagan).

If any applicable approvals from the provincial government are still outstanding, the approval of the executives listed above will be subject to such government approvals being secured.

1.4 Approval for new names for Campus Facilities in Class 4 is to be secured as follows:

1.4.1 Where the marker will be indoors, Campus and Community Planning will seek the recommendation of:

(a) the Vice-President, Development and Alumni Engagement; and

(a) if the marker will be located within academic space that is functionally related to a specific Faculty, the Dean of that Faculty.
1.4.2 Where the marker will be outdoors, Campus and Community Planning will seek the recommendation of:

(a) the Vice-President, Development and Alumni Engagement;

(b) the Associate Vice-President, Campus Community and Planning; and

(c) the Managing Director, Infrastructure Development for a marker at UBC Vancouver or the Associate Vice-President, Administration and Finance and Operations, (UBC Okanagan) for a marker at UBC Okanagan.

1.4.3 If the persons identified in Article 1.4.1 or Article 1.4.2, as the case may be, recommend that the naming proposal be approved, Campus and Community Planning will forward the proposal to the Naming Committee for approval.
EXPLANATORY NOTES REGARDING THE NAMING POLICY AND ASSOCIATED PROCEDURES

Issued July 1, 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Naming Policy. These Explanatory Notes do not replace or supersede the content of the Naming Policy and its Procedures.

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<thead>
<tr>
<th>Policy Long Title:</th>
<th>Naming</th>
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</thead>
<tbody>
<tr>
<td>Policy Short Title:</td>
<td>Naming Policy</td>
</tr>
<tr>
<td>Policy Number:</td>
<td>GA6</td>
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<tr>
<td>Responsible Executive:</td>
<td>Vice-President, External, Legal and Community Relations</td>
</tr>
<tr>
<td>Responsible Board Committee:</td>
<td>People, Community &amp; International</td>
</tr>
<tr>
<td>Related Policies:</td>
<td>N/A</td>
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</tbody>
</table>
| History:                | • The Naming Policy was first approved by the Board of Governors in March 1998;  
                          | • The Naming Policy was revised in September 2009;  
                          | • The Naming Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Naming Policy, its long title is Naming, and its number is GA6. The previous identification number for this policy was #124. |
| Related Legislation:    | N/A    |
Background & Purposes:

The University recognizes that its employees may wish to exercise their rights as citizens to seek political office. The purpose of this policy is to facilitate the civic engagement of University members by setting out the circumstances under which unpaid leave may be granted to members of all employment groups for political activities and the terms of such leave.

1. Scope

1.1 This Policy applies to salaried employees who are employed on an on-going basis by the University (“Employees”).

2. Campaign Leave

2.1 An Employee who stands for election to public office will be granted a leave of absence without pay upon request provided that the leave does not create serious difficulties for the Employee’s academic or administrative unit, colleagues or students. Such leave request will not be unreasonably denied and will be granted in accordance with the provisions of the Employee’s collective agreement, handbook, or employment contract. The period of leave will not normally exceed the period between the Employee’s nomination as a candidate and the day of the election.

3. Leave During Political Office

3.1 Recognizing that the following positions require a full-time commitment, an Employee who holds one of these positions will be placed on a leave of absence without pay as follows:

3.1.1 for a Member of the Legislative Assembly of British Columbia, from the date of election until the dissolution of the Legislature;

3.1.2 for a Member of Parliament of Canada, from the date of election until the dissolution of Parliament; and
3.1.3 for a Minister of the Crown or Leader of the Opposition, from the date of appointment until the person ceases to hold such office.

3.2 An Employee who becomes an elected member of a First Nations band council, municipal or city government, a School or Parks Board, or other political office that would not normally interfere with the employee’s duties and responsibilities to the University will not normally be granted leave. However, a leave of absence without pay or a reduction of normal University duties may be granted upon request in circumstances where such elected position requires a time commitment that would interfere with the Employee’s normal duties and is subject to the terms of the Employee’s collective agreement, handbook or employment contract and approval by the Employee’s immediate supervisor. Such leave or work reduction request will not be unreasonably denied provided that it does not create serious difficulties for the Employee’s academic or administrative unit, colleagues or students.

4. Conditions of Leave

4.1 After the completion of a leave for political office as provided for above, an Employee is expected to return to the University unless granted further leave pursuant to this Policy. Failure to do so will be deemed as a resignation from the University.

4.2 An Employee granted full-time leave while holding political office is deemed to have resigned if his or her absence exceeds seven continuous years or two consecutive Parliaments or Legislatures, whichever is the longer, or the maximum period permitted in his or her collective agreement, handbook, or employment contract. Any extension to the maximum period permitted in an Employee’s collective agreement is to be negotiated between the parties to that collective agreement. Any extension to the maximum period permitted in an Employee’s handbook or employment contract is to be approved by the Employee’s immediate supervisor. (Continuous leave is defined as leave which is not interrupted by a period of more than one full year at the University.)

4.3 An Employee who accepts an appointment to the Senate of Canada is deemed to have resigned effective from the date of appointment to the Senate. However, a member of the Senate may hold an honorary faculty appointment.

4.4 During the period of leave, an Employee shall have the right to keep in force any or all employment benefits and pension, as provided for in his or her collective agreement, handbook, or employment contract and subject to any terms and conditions of each applicable employment benefit policy, benefit plan contract, or pension plan, by assuming the total cost of the monthly contributions. Maintaining benefits coverage beyond two years of leave is subject to approval by the University and the insurer or benefit plan provider. The University will not make contributions to employment benefits or pension during the period of leave, except as outlined in the applicable collective agreement, handbook, or employment contract.

4.5 An Employee returning to the University after a leave for political office does so at the same academic rank or classification that the Employee occupied when the leave was granted. Length of service attained at the time of leave is granted will be maintained and will not accrue during the period of leave, except as outlined in the applicable collective agreement, handbook, or employment contract.
4.6 Vacation entitlement and sick leave reserve do not accrue during an unpaid leave of absence.
PROCEDURES ASSOCIATED WITH THE
POLITICAL LEAVE POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Political Leave Policy.

1. Assignment of Responsible Executive

1.1 The Responsible Executive will be the Provost and Vice-Vice-President, Academic (UBC Vancouver) in relation to Employees at UBC Vancouver subject to the collective agreement between the University and the Faculty Association.

1.2 The Responsible Executive will be the Provost and Vice-Principal-President, Academic (UBC Okanagan) in relation to Employees at UBC Okanagan subject to the collective agreement between the University and the Faculty Association.

1.3 The Responsible Executive will be the Vice-Vice-President, Human Resources in relation to all Employees other than those identified in Sections 1.1 and 1.2 of these Procedures.

2. Process For Granting Leaves

2.1 Any request for leave must be made in writing and submitted, together with the approval of the administrative head of unit, for approval to the Responsible Executive and any other person required by the applicable collective agreement.
EXPLANATORY NOTES REGARDING THE POLITICAL LEAVE POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Political Leave Policy. These Explanatory Notes do not replace or supersede the content of the Political Leave Policy and its Procedures.

Policy Long Title: Leave to Take Political Office

Policy Short Title: Political Leave Policy

Policy Number: HR2

Responsible Executive: Provost and Vice-President, Academic and Provost (UBC Vancouver); Provost and Vice-President, Academic (UBC Okanagan); Vice-Vice-President, Human Resources

Responsible Board Committee: Employee Relations Committee

Related Policies: GA2 - Regulatory Framework Policy

History:
- The Political Leave Policy was first approved by the Board of Governors in August 1971;
- The Political Leave Policy was revised in April 2013;
- The Political Leave Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Political Leave Policy, its long title is Leave to Take Political Office, and its number is HR2. The previous identification number for this policy was #50.

Related Legislation: N/A
Background & Purposes:

UBC is committed to attracting and retaining outstanding faculty members and senior management staff from around the world.

This Policy is intended to facilitate the hiring or internal transfer of outstanding faculty members and senior management staff by establishing eligibility and extent of travel and relocation assistance to move their homes, family, offices, and tools of the trade as necessary to establish these faculty and staff at UBC.

1. Governing Principles

1.1 Principles: UBC is committed to attracting and retaining outstanding faculty and senior management staff from around the world.

1.2 Purposes: This Policy is intended to:

1.2.1 facilitate the hiring or internal transfer of outstanding faculty members and senior management staff by establishing eligibility and extent of travel and relocation assistance to move their homes, family, offices, and tools of the trade as necessary to establish these faculty and staff at UBC; and

1.2.2 aid faculty members and senior management staff who are Designated Professionals to relocate by providing access to an efficient and user-friendly service.

1.3 Methods: To succeed in its goals UBC will:

1.3.1 establish a flexible relocation plan providing a range of allowable expenses within expenditure ceilings;

1.3.2 maintain a central account to fund a common level of contribution towards administrative unit relocation expenses; and

1.3.3 identify and inform the Designated Professionals intended to be covered by the Policy.
2. **Definitions and Interpretation Rules:** A schedule to this Policy establishes the definitions of terms used in this Policy and any unique rules of interpretation that apply to this Policy.

3. **Scope**

   3.1 **General:** This Policy sets out the allowable expenses and the resources available from UBC to facilitate the relocation of people who move their homes, family, offices, and *Tools of the Trade* as part of undertaking employment (new hire or transfer) as a *Designated Professional*.

   3.2 **Exclusions:** This Policy does not apply to any move or travel for any person who is already residing within 75 kilometers of the new workplace.

   3.3 **Exceptions:** In exceptional circumstances exceptions to this Policy (inclusive of Procedures) may be made by:

      3.3.1 the *Responsible Executive*; or

      3.3.2 the *Administrative Head of Unit* responsible for the hiring or transfer of the *Designated Professional* and the funding of the exception.

4. **Eligibility for Relocation and Travel Expenses**

   4.1 A *Designated Professional* becomes entitled to relocation assistance services and relocation expenses up to a cumulative maximum and any limits set for a category of expenses under this Policy or its Procedures when advised of eligibility in writing (e.g. in an offer letter) by the *Responsible Executive*, or the *Administrative Head of Unit* responsible for the hiring or transfer of the person.

   4.2 Travel and related expenses arising under this Policy are to be included and accounted for as relocation expenses. The *Business Expenses Policy* shall apply to travel and related expenses under this Policy and interpreted with any necessary changes in wording so as to give effect to this provision and function consistent with this Policy.

5. **Arranging and Paying for Relocations and Travel**

   5.1 The *Responsible Executive*, or delegate, may designate:

      5.1.1 forms, reports, or applications as may be required, except where designated by the Vice-President, *Administration and Finance* and *Operations* for financial administration; and

      5.1.2 a relocation company, if specified, to provide services to a *Designated Professional* consistent with UBC policies in place of, or in addition to, UBC services.

6. **Election of House Hunting Trip or Arrival Lodging:** A *Designated Professional* may elect, under the *Flexible Relocation Plan*, to have UBC expense coverage (to the allowed limits) for either (but not both) a pre-move house hunting visit, or temporary lodging after arrival to take up the offered position.
7. **Relocation Move:** UBC will pay, under the *Flexible Relocation Plan*, for the following expenses for the *Designated Professional, Spouse*, and *Dependant(s)* up to, in each case, the allowed limits:

7.1 **Relocation Travel:** Travel from old to new residence (if consistent with the Business Expenses Policy);

7.2 **Moving Expenses:** Moving expenses from the *Allowed Moving Expenses* list of:

7.2.1 *Household and Personal Effects* (a weight allowance may apply); and

7.2.2 *Tools of the Trade*.

7.3 **Automobile Expenses:** One personal passenger automobile to be shipped or driven.

7.4 **Customs and Immigration:** Allowed customs and immigration related expenses. Customs and immigration matters remain the responsibility of the *Designated Professional*. UBC cannot advise on these matters but will provide administrative assistance and any documentation required from *UBC* as an employer.

8. **Healthcare:** Healthcare insurance may be provided under this Policy for a *Designated Professional* and some or all family members to cover the 3 month waiting period before the British Columbia’s Medical Services Plan and before the *UBC* employee benefits plan apply.

9. **Early Departure from Employment**

9.1 As a term for provision of benefits under this Policy a *Designated Professional* who voluntarily leaves the service of *UBC* before completing 24 months of paid service will be required to refund a portion of the funds expended by *UBC* under this Policy regarding the *Designated Professional*. This applies whether the funds were paid to service providers or to or for the *Designated Professional*. The refund portion shall diminish over time from 100% to zero with each completed month of regular service, excluding periods of unpaid leave, discharging 1/24th of the amount.

9.2 The *Administrative Head of Unit* responsible for the hiring or transfer of the *Designated Professional* is responsible for administration of this section (early departure).

10. **Procedures and Amendment**

10.1 The President may, on an ongoing or limited basis, delegate to the *Responsible Executive* the power to amend numeric text in the Procedures under this Policy. The *Responsible Executive* shall report any such amendment to the next meeting of the Board of Governors.
Schedule to the Relocation Policy
Definitions and Other Interpretation Rules

1. Definitions

In the Relocation Policy, the following terms have the meaning defined below, and shall have the same meaning in any administration and management procedures under that Policy:

a. “Administrative Head of Unit” means the “administrative head of unit” as defined under Regulatory Framework Policy as amended from time to time.

b. “Allowed Moving Expenses” means the “Allowed Moving Expenses” as defined in the Flexible Relocation Plan.

c. “Dependant” means a person who ordinarily resides with the Designated Professional and is the Designated Professional’s or Spouse’s:

1) unmarried child who is wholly dependent (excepting for minor financial capacity) on the Designated Professional or Spouse and
   a. under the age of 19 years; or
   b. 19 years of age or older and dependent by reason of mental or physical infirmity;

2) unmarried child under the age of 25 years who is in full-time attendance at an accredited educational institute;

3) parent, or spouse of a parent, provided that the person is wholly dependent (excepting for minor financial capacity) on the Designated Professional or Spouse financially or by reason of mental or physical infirmity.

d. “Designated Professional” means people who:

1) are advised in writing (e.g. in an offer letter) by the Responsible Executive, or the Administrative Head Of Unit responsible for the engagement of the Designated Professional, that they are eligible; and

2) are or agree to be employed by UBC in one of the following full-time positions:

   a. a tenure-stream faculty member;

   b. a prospective tenure-stream faculty member (e.g. professorial ranks, Instructor I and II, Senior Instructor); or

   c. any of the following defined or designated by the Responsible Executive as eligible (this designation may be on an individual basis or by group, and may be on an ongoing, limited or one-time-only basis):

      i. librarian in senior management;
(ii) Program Director in Continuing Studies; or

(iii) senior management staff.

The term “Designated Professional” does not include any position held in a temporary, visiting, or like capacity (e.g., visiting professor or sessional lecturer) except to the extent designated by the Responsible Executive as eligible.

e. “Flexible Relocation Plan” means the “Flexible Relocation Plan” as described in the Procedures in which a Designated Professional may select from a range of relocation expenditures covered by UBC within plan limits.

f. “Household and Personal Effects” means the “Household and Personal Effects” as defined in the Flexible Relocation Plan to re-establish the Designated Professional’s household after a move.

g. “Responsible Executive” means:

1) the individual(s) specified by the President, from time to time, to be responsible for this Policy; and

2) any person delegated by the person in 1) above to fulfill his/her role except to the extent that the power to delegate is specifically excluded in this Policy or in the appointment by the President.

h. “Spouse” means one spouse or common law partner of a Designated Professional.

i. “Tools of the Trade” means the Designated Professional’s tools of the trade that are necessary and related to the Designated Professional’s employment with UBC as permitted in the Flexible Relocation Plan, e.g. an office library, computer equipment, or research equipment and supplies.
PROCEDURES ASSOCIATED WITH THE
RELOCATION POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Relocation Policy.

1. Definitions and Interpretation Rules: An attached schedule establishes the definitions of terms used in these Procedures and any unique rules of interpretation that apply.

2. Flexible Relocation Plan – Flexible Expenditures Range within Cost Limits

   2.1 **Flexible with Cap:** UBC will pay relocation expenses from the range of expenses set out in the following section (“Flexible Relocation Plan – Coverage Range”) up to any limits specified in the Policy or Procedures applying to:

      2.1.1 any category of expenses; and

      2.1.2 a cumulative maximum for all relocation expenses (which includes relocation travel and related expenses).

   2.2 **Exceeding the Cap:** Relocation expenditures otherwise consistent with the Flexible Relocation Plan but in excess of the individual or cumulative total for the plan must be authorized in advance by the administrative unit. These excess expenditures are administrative unit expenses and not centrally funded.

   2.3 **Piecemeal Moves:** Piecemeal moves are not desirable due to increased complications and cost. The cost of piecemeal moves of a category of effects may not exceed the expense that would otherwise apply to a single consolidated move.

3. Flexible Relocation Plan – Coverage Range: The range of expenses covered under the Flexible Relocation Plan for any Designated Professional is described below in this section:

   3.1 **Election of Pre-Move Travel or Post-Move Temporary Lodging:** UBC will pay expenses for either (but not both) of the following (if expended consistent with the Business Expenses Policy):

      3.1.1 House hunting expenses consisting of the following for up to 2 people for up to a total of 7 days:

         (a) Return Travel Allowance;
3.1.2 Post-move temporary lodging expenses consisting of the following for the Designated Professional, Spouse, and Dependant(s) for up to a total of 14 days:

(e) Lodging;

(f) Meal Allowances; and

(g) Dependant Care Allowance.

3.2 Relocation Travel: UBC will pay expenses for travel from old to new residence (if expended consistent with the Business Expenses Policy) as follows:

3.2.1 One-way Travel Allowance to the relocation destination; and

3.2.2 Meal Allowances and lodging en route

3.3 Moving Goods: UBC will pay expenses for Allowed Moving Expenses up to the maximum applicable amount specified in the Rates Table for:

3.3.1 Household and Personal Effects moved from an old to new residence; and

3.3.2 Tools of the Trade moved to a new UBC workplace if approved by the Responsible Executive, or the Administrative Head of Unit responsible for the engagement of the Designated Professional.

3.4 Automobile Transport: One personal passenger automobile may be shipped or driven as part of a move under the Policy. UBC will pay up to the amounts permitted by the Rates Table.

3.5 Customs and Immigration: UBC will pay customs and immigration expenses to the extent listed, and up to the stated individual or cumulative expense limits, in the Rates Table. The list of expenses may include premiums for healthcare insurance for the Designated Professional and some or all family members being moved.

4. Healthcare

4.1 Healthcare insurance is provided under this Policy to a Designated Professional and family members to the extent that the Designated Professional and eligible family member sought to be covered are enrolled and entitled under:

4.1.1 a healthcare benefits plan offered by UBC; or
4.1.2 healthcare insurance specifically purchased as part of customs and immigration expenses permitted under the Rates Table.

5. **Tools of the Trade**

5.1 **Authorization:** Before Tools of the Trade may be moved under this Policy moving them must be specifically authorized in writing by:

5.1.1 the owner of the equipment; and

5.1.2 the Responsible Executive, or the Administrative Head of Unit responsible for the engagement of the Designated Professional.

5.2 **No Weight Restriction:** Tools of the Trade are not counted as part of a weight allowance for Household and Personal Effects in the Rates Table even if moved as part of Household and Personal Effects.

5.3 **Scientific Tools:** Tools of the Trade composed of scientific equipment or supplies that are:

5.3.1 shipped within Canada must be accompanied by:

   (a) certification that UBC may require to assure safety (this may include that the equipment is free of detectible contamination by chemicals, radioactivity, or bio-hazards); and

   (b) a list that clearly identifies each item of equipment.

5.3.2 being imported into Canada may be required to be shipped separately from the Household and Personal Effects and be accompanied by:

   (a) certification that may be required to cross the border and to satisfy UBC of safety (this may include that the equipment is free of detectible contamination by chemicals, radioactivity, or bio-hazards); and

   (b) a list that identifies:

        i) each item of equipment;

        ii) the country of manufacture; and

        iii) the fair market value.

5.4 **Tax or Duties:** UBC will not pay any importation or excise taxes or duties on Tools of the Trade that are imported into Canada unless:

5.4.1 approved on a case-by-case basis by the Responsible Executive, or the Administrative Head of Unit responsible for the engagement of the Designated Professional; and
5.4.2 those specific Tools of the Trade will become the property of UBC (and for which income tax receipts may be given to the donor where permitted):

(a) upon delivery into UBC’s possession in Canada or UBC assuming risk for the damage or destruction of the goods, whichever comes first; or

(b) as agreed between:

(i) the owner of the equipment; and

(ii) the Responsible Executive, or the Administrative Head of Unit responsible for the engagement of the Designated Professional.

6. Rates Table – Maximums Per Move

<table>
<thead>
<tr>
<th>Subject of Rate</th>
<th>Maximum Expenses /Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automobile transport</td>
<td>Only expenses for personal passenger car, van or truck (up to ½ ton pickups) will be permitted. The rates are as follows:</td>
</tr>
<tr>
<td></td>
<td>Shipping:</td>
</tr>
<tr>
<td></td>
<td> &lt;500km – $0</td>
</tr>
<tr>
<td></td>
<td> 500km or greater = by rail or truck only at market rates not to exceed $2500 using the most appropriate service</td>
</tr>
<tr>
<td></td>
<td>Driven:</td>
</tr>
<tr>
<td></td>
<td> Rates as apply under Policy #83 Travel and Related Expenses but not to exceed $2500</td>
</tr>
<tr>
<td>Dependant Care Allowance</td>
<td>Only if authorized and then for no more than $25 per day per Dependant.</td>
</tr>
<tr>
<td>Customs and immigration related expenses</td>
<td>Provided UBC incurs the expense or specifically authorizes the expenditure in advance, which may include designating the service provider, UBC will pay for the listed expenses of the Designated Professional, Spouse, and Dependents to a cumulative maximum of $3,000 incurred within 3 years of the acceptance of the offer of employment:</td>
</tr>
<tr>
<td></td>
<td> Translation of documents where translation is required by UBC and/or the Canadian government</td>
</tr>
<tr>
<td></td>
<td> Medical examinations required by UBC and/or the Canadian government</td>
</tr>
<tr>
<td></td>
<td> Immigration, work permit, and residency visa fees levied by the Canadian government</td>
</tr>
<tr>
<td></td>
<td> Police criminal records checks and fingerprinting</td>
</tr>
<tr>
<td></td>
<td> Healthcare insurance premiums of the family or person to be covered for up to 3 month immediately preceding that person’s eligibility for coverage by the British Columbia Medical Services Plan.</td>
</tr>
<tr>
<td></td>
<td><strong>UBC does not pay for:</strong></td>
</tr>
<tr>
<td></td>
<td> Emigration or border fees levied by foreign governments</td>
</tr>
<tr>
<td></td>
<td> Passports</td>
</tr>
<tr>
<td></td>
<td> Legal services or documents</td>
</tr>
</tbody>
</table>
Household and Personal Effects—storage

The maximum storage expenses for Household and Personal Effects is one month’s storage, if required, and one-time delivery into or out of the storage facility.

Household and Personal Effects—weight allowance

The maximum weight covered for Household and Personal Effects is as set out in the following table:

<table>
<thead>
<tr>
<th>Number of People in Move</th>
<th>Weight Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Designated Professional alone</td>
<td>2724 kg (6,000 pounds)</td>
</tr>
<tr>
<td>Designated Professional accompanied by Dependant(s)</td>
<td>2724 kg (6,000 pounds), plus</td>
</tr>
<tr>
<td></td>
<td>455 kg (1,000 pounds) per Dependant</td>
</tr>
<tr>
<td>Designated Professional &amp; Spouse</td>
<td>4550 kg (10,000 pounds)</td>
</tr>
<tr>
<td>Designated Professional &amp; Spouse accompanied by</td>
<td>4550 kg (10,000 pounds), plus</td>
</tr>
<tr>
<td>Dependant(s)</td>
<td>455 kg (1,000 pounds) per Dependant</td>
</tr>
</tbody>
</table>

7. Central and Unit Funding

7.1 The Vice-President, Administration and Finance and Operations shall establish a central account to fund payments under the Policy to administrative units and may designate limits or allocations of funds within that account.

7.2 Where the salary of the Designated Professional is to be paid from a grant or source other than the UBC’s general purpose operating fund (GPOF), expenses under the Policy for that person shall be first paid from that grant or other source to the extent permitted by the funding source before seeking payment from UBC. Reimbursement from the central account shall be in an amount which is the lesser of the shortfall or the amount due under the Central Fund Contribution Table in these Procedures.

7.3 Administrative units may seek reimbursement for expenses under this Policy from the central account up to the limits established under the Policy, and shall draw funds from its own budget for the remainder. A request for reimbursement shall:

7.3.1 identify whether other sources of funds are available for the expenditures and the amounts drawn upon (or to be drawn upon); and

7.3.2 include an undertaking to update the statement if additional expenditures or other sources of funds are received which increase or decrease the reimbursement entitlement by $1,000 or more.

7.4 Regardless of source of funding, the administrative unit responsible for the hiring or transfer of the Designated Professional shall report to UBC Payroll the amounts of all payments made on behalf of the Designated Professional under this Policy for benefits/allowances that are taxable under Canada Revenue Agency rules, for tax reporting purposes. The Income Tax Act requires
that certain employer-paid benefits/allowances that are paid to employees be included in the employee’s income for tax purposes. With respect to relocation, some examples of taxable benefits are housing reimbursement upon relocation, customs expenses, and immigration expenses. Additional information may be obtained from Financial Services http://finance.ubc.ca/payroll/administrative-procedures/submitting-taxable-benefits.

8. Central Fund Contribution to Unit Relocation Expenses

8.1 The Vice-President, Human Resources, or designate, shall administer a central account to reimburse administrative units for relocation expenses incurred by the unit under the Policy for each move (including expenses under the Business Expenses Policy) based on the corresponding family size and move point criteria in the table below:

<table>
<thead>
<tr>
<th>Number of People in Move</th>
<th>Reimbursement to Unit for Relocations Originating:</th>
<th>Travel Expenses Allowance</th>
<th>Tax and Financial Advising Services Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>within Canada</td>
<td>outside Canada</td>
<td></td>
</tr>
<tr>
<td>Designated Professional alone</td>
<td>$7,000</td>
<td>$8,000</td>
<td>$1,500</td>
</tr>
<tr>
<td>Designated Professional accompanied by Dependant(s)</td>
<td>$7,000 plus $500 per Dependant</td>
<td>$8,000 plus $1,000 per Dependant</td>
<td>$1,500</td>
</tr>
<tr>
<td>Designated Professional &amp; Spouse</td>
<td>$9,000</td>
<td>$10,000</td>
<td>$1,500</td>
</tr>
<tr>
<td>Designated Professional &amp; Spouse accompanied by Dependant(s)</td>
<td>$9,000 plus $500 per Dependant</td>
<td>$10,000 plus $1,000 per Dependant</td>
<td>$1,500</td>
</tr>
</tbody>
</table>

8.2 The table above may be amended, from time to time, by the Vice-President, Human Resources, personally (not delegated), effective upon the posting of the updated Procedures.
Schedule to Procedures  
of  
Definitions and Other Interpretation Rules

In the Procedures to the Relocation Policy, the following terms have the meaning defined below:

1. **“Allowed Moving Expenses”** means the following moving expenses up to the maximum applicable amount specified in the *Rates Table*:

   (a) Packing, loading, delivery and unloading excluding disassembly or assembly as follows: (e.g. for satellite dishes, scientific equipment, computer networks, ready-to-assemble furniture, and swings or playground sets):

       (i) Any disassembly requiring tools, special knowledge, or involving fluids; and

       (ii) Any assembly.

   (b) Storage and delivery from storage; and

   (c) En route insurance of:

       (i) Household and Personal Effects up to replacement value;

       (ii) Tools of the Trade up to replacement value.

The term “Allowed Moving Expenses” excludes:

- Expenses not permitted or covered by this Policy
- Servicing of appliances, furnishings, or equipment
- House cleaning or repair
- Utility service commencement fees (commonly called “connection” or “hookup” fees)

2. **“Dependant Care Allowance”** means an allowance for childcare or elder care of a Dependant payable to a caregiver normally compensated for their services up to the maximum applicable amount specified in the *Rates Table*.

3. **“Household and Personal Effects”** means those possessions of the Designated Professional, Spouse, and Dependents, which are necessary to re-establish the Designated Professional’s household including stored items. These effects include domestic household pets, if permitted by law, excluding fish and birds.

These effects do not include:

- Building or landscaping materials of any kind (e.g. lumber, cement, bricks, patio slate, sand, gravel)
- Automobiles, construction equipment, farm equipment, tractors
- Recreational vehicles (e.g. trailers, campers, and motorhomes) other than those the mover will transport as part of the Designated Professional’s possessions without extra charge [N.B. Within Canada snowmobiles and all terrain vehicles might be transportable without extra charge if prepared by the Designated Professional as required by the mover - such as by removing volatiles.]
- Firewood, railroad ties
- Perishables, including frozen foods and liquids subject to freezing
- Swimming pools
- Outbuildings, storage sheds or greenhouses
- Items that cannot be shipped due to safety or regulatory restrictions including:
  - Paints, cleaning solvents, aerosols orflammables including matches, lighter fluid, gasoline, cleaning fluids, fertilizers
  - Unregistered firearms
  - Ammunition and explosives
  - Propane tanks, empty or full
  - Wine and liquor
  - Livestock, fish, and birds
  - Plants or soil in international shipments

4. “Meal Allowances” means the meal allowances as set under the Business Expenses Policy [N.B. this excludes meals provided by others e.g., complimentary hotel breakfast].

5. “Rates Table” means the table in these Procedures indicating the maximum rates payable under the Policy for identified items or matters.

6. “Travel Allowance” means the reimbursement or rates applicable under the Business Expenses Policy for travel by common carrier (air or ground), or private vehicle between the Designated Professional’s home or office and the new workplace designated by UBC.
The OUC has prepared these Explanatory Notes to provide context and background regarding the Relocation Policy. These Explanatory Notes do not replace or supersede the content of the Relocation Policy and its Procedures.

**Policy Long Title:** Relocation of Faculty Members and Senior Management Staff

**Policy Short Title:** Relocation Policy

**Policy Number:** HR6

**Responsible Executive:** Vice-President, Human Resources

**Responsible Board Committee:** Employee Relations Committee

**Related Policies:**
- GA2 - Regulatory Framework Policy
- FM8 - Business Expenses Policy

**History:**
- The Relocation Policy was first approved by the Board of Governors in February 1980;
- The Relocation Policy was revised in March 2007;
- The Relocation Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Relocation Policy, its long title is Relocation of Faculty Members and Senior Management Staff, and its number is HR6. The previous identification number for this policy was #82.

**Related Legislation:** Income Tax Act R.S.C. 1985, c. 1
Background & Purposes:

This Policy sets out the requirements for posting and advertising available employment positions before selecting a candidate. Publishing available employment positions widely is a key component of the recruitment process as it:

- Improves UBC’s potential to access the largest pool of exceptionally-qualified candidates for each employment position;
- Provides equal opportunity to all who seek employment at UBC;
- Provides for a clear and transparent process; and
- Satisfies requirements of Employment and Social Development Canada/Service Canada and Immigration, Refugees and Citizenship Canada.

1. Definitions

1.1 In this Policy, and in the Procedures to this Policy, the following terms have the following meaning:

1.1.1 “Administrative Vice-President” means Vice- Presidents appointed pursuant to Administrative VPs Policy;

1.1.2 "Advertised Positions" means the list of employment positions set out in section 3.1 of this Policy;

1.1.3 "Deans" has the same meaning attributed to the term in Deans/Principals Appointment Policy;

1.1.4 “Designated Senior Academic Administrator” means senior academic administrators appointed pursuant to Academic Administrators Appointment Policy;
1.1.5 “Employee Group Agreement” means an agreement between UBC and a group of employees, represented or not represented by a bargaining unit, that establishes terms and conditions of employment. For greater clarity, an Employee Group Agreement includes a collective agreement, a framework agreement and an employee handbook issued on behalf of the Director of Faculty Relations or Human Resources Advisory Services for UBC Vancouver or the Director of Human Resources for UBC Okanagan;

1.1.6 “Employment and Social Development Canada” means Employment and Social Development Canada/Service Canada and Immigration, Refugees and Citizenship Canada;

1.1.7 “Faculty Member” means a person employed by UBC as a sessional lecturer, lecturer, instructor, senior instructor, professor of teaching, assistant professor, associate professor, professor, or an equivalent position designated by the Senate. For greater certainty, the following are not Faculty Members for the purposes of this Policy:

(a) retired faculty members appointed in accordance with Retired Faculty Appointments Policy; and

(b) holders of visiting appointments; honorary appointments; adjunct appointments; clinical appointments; and research associates appointed in accordance with Faculty Term Appointments Policy;

1.1.8 “Librarian” means a person employed by UBC as a member of UBC’s professional librarian staff who is appointed in accordance with the collective agreement between UBC and the Faculty Association;

1.1.9 "Principals" has the same meaning attributed to the term in Deans/Principals Appointment Policy;

1.1.10 “Program Director” means a person employed by UBC on a full-time basis to direct a program or programs in Continuing Studies who is appointed in accordance with the collective agreement between UBC and the Faculty Association;

1.1.11 “Research Associates” has the same meaning attributed to the term in Faculty Term Appointments Policy; and

1.1.12 "Teaching Staff" has the same meaning attributed to the term in Board Appointments Policy.

2. General Principles

2.1 Recognizing that a diverse range of perspectives contributes to excellence, where academic or administrative units wish to fill one or more employment positions, they are encouraged to use a variety of recruitment strategies and advertising media (including print and electronic) appropriate to the available positions to proactively attract a broad and diverse pool of qualified applicants.
2.2 The availability of an Advertised Position must be advertised in accordance with the Procedures to this Policy before it is filled, except as provided for in section 5.1 of this Policy. Advertisements for all other employment positions that may be available at UBC are optional, but academic and administrative units that elect to advertise those available employment positions must do so in a manner that complies, at a minimum, with the posting and advertising requirements set out in section 4 of this Policy.

3. **Advertised Positions**

3.1 The availability of the following employment positions must be advertised before the position is filled:

3.1.1 Faculty Members;

3.1.2 Designated Senior Academic Administrators;

3.1.3 Deans;

3.1.4 Principals;

3.1.5 Administrative Vice‐Presidents;

3.1.6 the Registrar and the University Librarian appointed pursuant to Registrar/Librarians Appointment Policy;

3.1.7 Librarians;

3.1.8 Program Directors;

3.1.9 Research Associates; and

3.1.10 All other employment positions where posting of the available employment position is required by the applicable Employee Group Agreements.

4. **Posting and Advertising Requirements**

4.1 UBC hires on the basis of merit and is strongly committed to equity and diversity within its community. In accordance with the Employment Equity Policy, all position postings and advertisements must include UBC’s approved diversity statement as set forth in the Procedures to this Policy.

4.2 Before an available employment position can be filled by a foreign candidate, the availability of the employment position must be advertised in compliance with all Employment and Social Development Canada requirements. Therefore, where it is likely that an available employment position may be successfully filled by a foreign candidate, the academic or administrative unit conducting the search should familiarize itself with Employment and Social Development Canada requirements concerning the duration, location, media, and use of mandatory statements for advertisements.
4.3 The availability of employment positions must be advertised in a manner that meets all conditions of any applicable Employee Group Agreement.

4.4 All advertisements must comply with the Visual Identity Policy.

5. **Non-Advertised Positions**

5.1 Subject to Employment and Social Development Canada and applicable Employee Group Agreement requirements, UBC does not require advertisements for the Advertised Positions where:

5.1.1 the Advertised Position is a term appointment that is less than one year in length, provided that where such an appointment is to be extended beyond one year, the position must be advertised in accordance with the Procedures to this Policy (except if the term appointment less than one year is a sessional lecturer or lecturer, in which case the position must be advertised in accordance with the Procedures to this Policy in all circumstances);

5.1.2 the Advertised Position is an appointment or extension of an appointment of an existing Faculty Member as a Head of Academic Unit in accordance with the Academic Heads Policy;

5.1.3 the Advertised Position is an existing appointment that is being extended in accordance with the Deans Extension Policy, Academic Administrators Extension Policy, Administrative VPs Policy, Registrar/Librarians Extension Policy; or

5.1.4 the Responsible Executive has waived UBC’s advertising requirement in accordance with section 5.2 of this Policy.

5.2 Subject to Employment and Social Development Canada requirements, in special circumstances, at the request of a Dean or an advisory committee to the President, as applicable, the Responsible Executive may waive UBC’s advertising requirements in whole or in part. Special circumstances include, but are not limited to situations where:

5.2.1 UBC has an opportunity to appoint a highly-qualified candidate who is supported by an external program or agency that will wholly or partly fund the initial appointment;

5.2.2 UBC has advertised for one (1) or more available employment positions in accordance with the Procedures to this Policy and has an opportunity to appoint additional candidates that meet the qualifications and criteria specified in the advertisement;

5.2.3 for a dual career appointment, UBC has an opportunity to recruit a candidate or retain a valuable faculty member by appointing the spousal partner to an available employment position, provided the unit to which the spousal partner is to be appointed is supportive of the dual career appointment;
5.2.4 UBC has an opportunity to appoint an exceptionally-qualified, internationally-recognized candidate; and

5.2.5 UBC requires an emergency appointment.

5.3 The Board of Governors may, from time to time, request reports regarding special circumstances where the Responsible Executive has waived UBC’s advertising requirement. At least annually, a report of such special circumstances will be attached to the report of Teaching Staff appointments provided to the Board of Governors pursuant to the Board Appointments Policy.
PROCEDURES ASSOCIATED WITH THE
EMPLOYMENT ADVERTISING POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Employment Advertising Policy.

1. Assignment of Responsible Executive

1.1 The Responsible Executive will be the Provost and Vice-President Academic, UBC Vancouver, in relation to tenure-stream Faculty Members, Librarians, Program Directors, Deans, and Principals at UBC’s Vancouver campus.

1.2 The Responsible Executive will be the Provost and Vice Principal-President, Academic (UBC Okanagan), in relation to tenure-stream Faculty Members, Librarians, Program Directors, Deans, and Principals at UBC’s Okanagan campus.

1.3 The Responsible Executive in relation to Designated Senior Academic Administrators will be the Responsible Executive designated under the Academic Administrators Appointment Policy.

1.4 The Responsible Executive in relation to Administrative Vice-Presidents will be the Responsible Executive designated under the Administrative VPs Policy.

1.5 The Responsible Executive will be the Vice-President, Human Resources, in relation to all other employment positions.

1.6 Any Responsible Executive may, in writing, delegate the Responsible Executive’s authority under this Policy.

2. University Diversity Statement

2.1 All postings and advertisements for available employment positions at UBC must include the following statement:

“Equity and diversity are essential to academic excellence. An open and diverse community fosters the inclusion of voices that have been underrepresented or discouraged. We encourage applications from members of groups that have been marginalized on any grounds enumerated under the B.C. Human Rights Code, including sex, sexual orientation, gender identity or expression, racialization, disability, political
belief, religion, marital or family status, age, and/or status as a First Nation, Metis, Inuit, or Indigenous person.”

3. University Advertising Requirements

3.1 Prior authorization to undertake the recruitment process to fill an Advertised Position must be obtained from the Responsible Executive, or their delegate, to ensure that the recruitment is consistent with UBC priorities and budgetary considerations.

3.2 Before an Advertised Position can be filled by a foreign candidate, the Advertised Position must be advertised in compliance with the Employment and Social Development Canada advertising requirements set forth in section 4 of these Procedures as well as UBC’s advertising requirements set forth in this section. Complying solely with UBC’s advertising requirements in this section will not meet the Employment and Social Development Canada advertising requirements in every circumstance. Therefore, where it is likely that an Advertised Position may be successfully filled by a foreign candidate, the academic or administrative unit conducting the search should familiarize itself with Employment and Social Development Canada requirements concerning the duration, location, media, and use of mandatory statements for advertisements.

3.3 The availability of a position as a tenure-stream Faculty Member, Designated Senior Academic Administrator, Dean, Principal, or Administrative Vice-President must be advertised at a minimum:

3.3.1 on the UBC Careers – UBC Human Resources website;
3.3.2 in at least two (2) appropriate publications (print or electronic) with a wide, national readership (e.g. “CAUT Bulletin”, “University Affairs”); and
3.3.3 in at least one (1) other venue, journal or publication (print or electronic) relevant to the discipline.

3.4 The availability of a position as a Research Associate or as a Faculty Member for a term of one year or more in length other than those set forth in Section 3.3 of these Procedures must be advertised on the UBC Careers – UBC Human Resources website and in appropriate publications (print or electronic).

3.5 In addition, the availability of a position as a sessional lecturer or a lecturer must be advertised in accordance with applicable collective agreement provisions.

3.6 All advertising copy for available positions as a tenure-stream Faculty Member must be approved by:

3.6.1 the Dean; and
3.6.2 the Director of Faculty Relations for UBC Vancouver or the Director, Human Resources, UBC Okanagan, or their delegates, as applicable.
3.7 All advertising copy for available positions as a Designated Senior Academic Administrator, Dean, Principal, or Administrative Vice-President must be approved by the Responsible Executive prior to publication.

3.8 Heads of academic or administrative units are responsible for ensuring that advertising copy for any available position not expressly named in sections 3.6 and 3.7 of these Procedures complies with section 4 of the Policy, and any applicable provision of these Procedures.

3.9 If an available position is not successfully filled and a revised advertisement is required, such as to accommodate adjustments in the position description or to change the application deadline, approval for the revised advertising copy must be obtained in accordance with sections 3.6, 3.7, and 3.8 of these Procedures.

4. Employment and Social Development Canada Advertising Requirements

4.1 For Research Associates and Faculty Members, Employment and Social Development Canada normally requires that, before a university can hire a foreign candidate, the availability of the employment position must be advertised:

4.1.1 within Canada simultaneously with any advertising outside of Canada;

4.1.2 for a reasonable length of time (about a month) to allow broad exposure of the available employment position to Canadians and permanent residents;

4.1.3 using advertising media that is effective in attracting appropriate candidates for the available position;

4.1.4 with the following statement included in the advertisement:

“All qualified candidates are encouraged to apply; however Canadians and permanent residents will be given priority.”; and

4.1.5 in a manner that meets all conditions of any applicable collective agreement.

4.2 For Designated Senior Academic Administrators, Deans and Principals, and Administrative Vice-Presidents, Employment and Social Development Canada normally requires that, before a university can hire a foreign candidate, the availability of the employment position must be advertised:

4.2.1 within Canada simultaneously with any advertising outside of Canada;

4.2.2 for a minimum of one (1) month on the Government of Canada’s Job Bank or WorkBC;

4.2.3 for a minimum of one (1) month using two (2) or more additional recruitment methods within Canada that are effective in attracting appropriate candidates for the available employment position, including:

(a) advertising media that is national in scope;
(b) print media;

(c) general employment websites; and

(d) specialized websites dedicated to specific occupation profiles; and

4.2.4 in a manner that complies with the Employment and Social Development Canada requirements regarding information that must be included in the advertisement.

4.3 Due to the diversity of employment positions at UBC and the various foreign worker programs offered by Employment and Social Development Canada, where an academic or administrative unit considers that it is likely that an available employment position may be successfully filled by a foreign candidate, such unit should work with their Human Resources Advisors before proceeding with a search.

5. **Canada Research Chair Position Advertising Requirements**

5.1 For each Government of Canada Research Chair nomination, the Canada Research Chairs Program requires the Responsible Executive, or their delegate, to certify that the Canada Research Chair recruitment and nomination process was transparent, open and equitable (whether the Canada Research Chair position is used to retain current researchers or to recruit new researchers to UBC). Academic units seeking to recruit or nominate a Canada Research Chair position should work with the Canada Research Chair Secretariat, Office of the Provost and Vice-President Academic ([UBC Vancouver](#)) to ensure that the availability of the Canada Research Chair position is advertised in a manner consistent with:

5.1.1 the principles embodied in the Policy and these Procedures;

5.1.2 any applicable Employee Group Agreements;

5.1.3 the Canada Research Chairs Program guidelines for ensuring a fair and transparent recruitment and nomination process; and

5.1.4 all applicable Canada Research Chairs Program requirements.
EXPLANATORY NOTES REGARDING THE EMPLOYMENT ADVERTISING POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Employment Advertising Policy. These Explanatory Notes do not replace or supersede the content of the Employment Advertising Policy and its Procedures.

Policy Long Title: Advertising of Available Employment Positions

Policy Short Title: Employment Advertising Policy

Policy Number: HR11

Responsible Executive: Provost and Vice-President, Academic (UBC Vancouver) Provost and Vice-PrincipalPresident, Academic (UBC Okanagan) Vice-President, Human Resources

Responsible Board Committee: Employee Relations Committee

Related Policies:
- GA2 - Regulatory Framework Policy
- HR10 - Employment Equity Policy
- AP11 - Registrar/Librarians Appointment Policy
- AP12 - Academic Administrator Appointment Policy
- AP5 - Deans/Principals Appointment Policy
- AP9 - Academic Heads Policy
- AP8 - Deans Extension Policy
- AP6 - Academic Administrators Extension Policy
- AP3 - Board Appointments Policy
- AP1 - Retired Faculty Appointments Policy
- AP14 - Administrative VPs Policy
- AP4 - Faculty Term Appointments Policy
- AP13 - Registrar/Librarians Extension Policy
- GA7 - Visual Identity Policy

History:
- The Employment Advertising Policy was first approved by the Board of Governors in July 1992;
- The Employment Advertising Policy was revised in June 2017;
- The Employment Advertising Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Employment Advertising Policy, its long title is Advertising of Available Employment Positions, and its number

Policy #HR11
is HR11. The previous identification number for this policy was #20.

**Related Legislation:** N/A
The purpose of this Policy is to articulate principles for establishing total compensation for executive officers, management officers, service unit directors excluded from AAPS, and staff members who are excluded from or not represented by a union or association.

1. **Scope**

1.1 This Policy applies to the following positions at UBC:

1.1.1 President, Vice-Presidents (including Provost & Vice-President, Academic (UBC Vancouver), Provost and Vice-President, Academic (UBC Okanagan), and Deputy Vice-Chancellor & Principal (UBC Okanagan), and any positions equivalent to the aforementioned (each an “Executive Officer”);

1.1.2 Deans, Provost & Vice-Principal Academic (UBC Okanagan), Principal of the College of Health Disciplines, Associate Vice-Presidents, Vice-Principal, Research and Innovation (UBC Okanagan), Associate Deans, Vice-Deans, Vice-Provosts, Associate Vice-Provosts, Associate Principals, Executive/Senior/Regional Associate Deans, University Librarian, Registrar and any positions equivalent to the aforementioned (each a “Management Officer”);

1.1.3 Managing Directors, Executive Directors, Chief Officers, Comptroller, Treasurer, Directors, and any other positions excluded from Association of Administrative and Professional Staff (“AAPS”) and specifically designated as a “Service Unit Director” (each a “SUD”); and

1.1.4 staff members who are excluded from or not represented by a union or association.

1.2 This Policy does not apply to student employees, postdoctoral fellows, research associates or employees in positions classified as “miscellaneous”.

Background & Purposes:

The purpose of this Policy is to articulate principles for establishing total compensation for executive officers, management officers, service unit directors excluded from AAPS, and staff members who are excluded from or not represented by a union or association.
1.3 For the purposes of this Policy, “total compensation” means salary, other forms of cash payments (including stipends and honoraria), vacation, pension, benefits, and perquisites with measurable value.

2. **Total Compensation for Executive Officers, Management Officers and SUDs**

2.1 The guiding principles of the total compensation program at UBC for Executive Officers, Management Officers and SUDs are as follows:

2.1.1 **Rationality:** UBC establishes total compensation levels which balance fair value for work with UBC’s ability to pay.

2.1.2 **Equity:** Total compensation relates internally to the worth of a job as measured by skill, effort, responsibility, working conditions, and externally to market comparisons of similar jobs in similar institutions with which UBC potentially competes for staff.

2.1.3 **Ability to attract and retain qualified candidates:** UBC’s total compensation practices are competitive within the range and type of organizations from which it recruits.

2.1.4 **Relation to performance:** Where total compensation is used as a means of acknowledging performance, performance measurement is based on clear, documented individual and organizational targets.

2.1.5 **Compliance with legal obligations:** Total compensation practices comply with statutory obligations of the *Public Sector Employers Act, Employment Standards Act*, the *Human Rights Code* and other applicable legislation.

2.1.6 **Conflict of interest:** Consistent with UBC’s COI Policy, decisions on total compensation are made in a manner to ensure that a conflict of interest will not occur.

3. **Total Compensation for Staff Members who are Excluded from or Not Represented by a Union or Association**

3.1 Staff members who are excluded from or not represented by a union or association will receive total compensation at similar levels for comparable work of staff members represented by a union or association.

3.2 The Vice-President, Human Resources or delegate will review the total compensation of staff members who are excluded from or not represented by a union or association at appropriate intervals and make recommendations.
PROCEDURES ASSOCIATED WITH THE
NON-UNION COMPENSATION POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Non-Union Compensation Policy.

1. Approval Process

1.1 The President’s total compensation must be approved by the Board of Governor’s Management Resources and Compensation Committee.

1.2 The total compensation for Vice-Presidents of UBC must be recommended by the President and approved by the Board of Governors Management Resources and Compensation Committee.

1.3 The total compensation for Deans, the Principal of the College of Health Disciplines, Associate Vice-Presidents, Provost & Vice-Principal Academic (UBC Okanagan), Vice-Principal, Research and Innovation (UBC Okanagan), University Librarian, and Registrar of UBC must be recommended by the President and approved by the Board of Governor’s Employee Relations Committee.

1.4 The total compensation for SUDs and for Management Officers other than those identified in subsection 1.3 of these Procedures is negotiated with the person to whom they report, within the framework approved by the Responsible Executive.

2. Disclosure Requirements

2.1 Salary and expenses for UBC employees who earn more than a prescribed amount shall be published in the UBC’s Financial Statements in accordance with the Financial Information Act.

3. Total Compensation Assessments

3.1 To determine the appropriate total compensation for a particular position, the position is first evaluated by using a system which measures factors such as internal equity and external competitiveness.
EXPLANATORY NOTES REGARDING THE
NON-UNION COMPENSATION POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Non-Union Compensation Policy. These Explanatory Notes do not replace or supersede the content of the Non-Union Compensation Policy and its Procedures.

Policy Long Title: Total Compensation of Executive Officers, Management Officers, Service Unit Directors Excluded from AAPs, and Staff Members who are Excluded From or Not Represented by a Union or Association

Policy Short Title: Non-Union Compensation Policy

Policy Number: HR12

Responsible Executive: Vice President, Human Resources

Responsible Board Committee: Executive Committee

Related Policies: GA2 - Regulatory Framework Policy
SC3 - COI Policy

History:

- The Non-Union Compensation Policy was first approved by the Board of Governors in May 1995;
- The Non-Union Compensation Policy was revised in April 2014;
- The Non-Union Compensation Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Non-Union Compensation Policy, its long title is Total Compensation of Executive Officers, Management Officers, Service Unit Directors Excluded from AAPs, and Staff Members who are Excluded From or Not Represented by a Union or Association, and its number is HR12. The previous identification number for this policy was #31.

Related Legislation:

- Public Sector Employers Act R.S.B.C. 1996, c. 384
- Employment Standards Act, R.S.B.C. 1996, c. 113
- Financial Information Act R.S.B.C. 1996, c. 140
Background & Purposes:

The purpose of this Policy is to support the goal of UBC in encouraging the creation of prestigious chair, professorship and distinguished scholar honorifics funded by endowments or other funds and to establish the academic, financial and accountability criteria for these Honorifics. Honorifics are conferred by UBC to reward excellence in research and teaching. Conferral of an Honorific is normally accompanied by financial resources for research and teaching support and honoraria; and where a financial sustainability has been approved in accordance with the Policy, the funds may be used for salary and benefits. Holders of Honorifics provide regular reports to UBC on their activities, and UBC shares the impact of Honorifics with the donors who have enabled the establishment of Honorifics and with the broader community.

1. Scope

1.1 This Policy applies in respect of the recognition of outstanding individuals who hold appointments at UBC as faculty members or hold faculty term appointments without review as defined by the Faculty Term Appointments Policy as:

1.1.1 Chair holders,
1.1.2 Professorship holders, and
1.1.3 Distinguished Scholars

(collectively, the “Honorifics”);

except that it does not apply to University Killam Professors (as defined by the Killam Professors Policy) or government funded research chair programs such as the Canada Research Chair program or the Tri-Council research programs. The distinction among the types of Honorifics is based primarily on the eligibility criteria and extent of funding.

1.2 The Policy does not apply to incumbents who hold Honorifics at the date the Policy is adopted unless the incumbent requests in writing to the Responsible Executive that the Policy apply to the incumbent and the Responsible Executive approves the request.
1.3 The Policy does apply to Honorifics conferred on Holders (as defined in section 4.4 of the Policy) after this Policy comes into force even if they are established pursuant to an arrangement already in existence at the date the Policy is adopted or an arrangement that is in discussions with a donor at the date the Policy is adopted.

1.4 Where the Policy applies to incumbents and Holders as set out in sections 1.2 and 1.3, it will apply only to the extent the Policy is not inconsistent with the legal terms establishing the Honorific.

Academic Components:

2. Naming Convention

2.1 Subject to section 2.2, Honorifics may be named as requested by a donor who has contributed the majority of the funds to establish the Honorific; and will normally include “UBC” and the field of interest in the name. For example, the “Taylor Wong UBC Chair in Music” or the “Taylor Wong Chair in Music at UBC” or the “Taylor Wong Chair in Music, a UBC Chair”.

2.2 The naming of Honorifics must be approved by the Responsible Executive.

3. Establishment

3.1 The establishment of a Chair requires the approval of the Board of Governors upon the recommendation of the Senate.

3.2 The establishment of Professorship and Distinguished Scholar Honorifics requires the approval of the Responsible Executive.

4. Conferral of Recognition on Holder of Honorific

4.1 Honorifics are conferred by UBC on UBC faculty members and persons eligible for faculty term appointments without review (as defined by the Faculty Term Appointments Policy) (referred to as “Eligible Individuals”) to recognize academic excellence.

4.2 An Honorific is separate and distinct from a faculty appointment, will be conferred based on merit, and will not be tied to the appointment of a particular individual. For greater clarity, an Honorific may be tied to a position, such as a Dean or Head of a Department within a Faculty. In that case, the terms of the appointment of the Dean or the Head or other position govern the conferral of the Honorific.

4.3 The decision to confer an Honorific on an Eligible Individual will be made by the Responsible Executive on the recommendation of the Dean and in accordance with the Procedures.

4.4 Upon the Honorific being conferred on an Eligible Individual, the individual is referred to as a “Holder”.
5. Eligibility Requirements

5.1 A Chair provides for recognition of an established academic and leader who has attained eminence in his or her field of endeavour. A Chair is normally available only to an Eligible Individual who has the rank of professor or professor of teaching.

5.2 A Professorship provides for recognition of an Eligible Individual who has attained, or has the potential to attain, eminence in his or her field of endeavour.

5.3 A Distinguished Scholar provides for recognition of an Eligible Individual who has achieved distinction in his or her field of endeavour. A Distinguished Scholar is available to faculty members of all ranks.

Accountability Components:

6. Assessment and Accountability

6.1 As an Honorific provides recognition for Holders, a Holder is accountable to UBC; and UBC is accountable to the community and to its donors whose gifts enable the establishment and continuation of Honorifics.

6.2 Holders are required to establish objectives and prepare reports as set out in the Procedures. The reports assist UBC in assessing the effectiveness of the additional resources provided by funding for Honorifics in achieving an added measure of excellence in teaching and research at UBC. The reports also assist UBC to account to donors and the broader community about the effectiveness and accomplishments of Honorifics.

Financial Components:

7. Funds

7.1 A Holder is normally provided with access to financial resources which are intended to promote and enhance the Holder’s academic activities including his or her research, teaching and educational leadership capabilities. Funds are to be used as set out in the Procedures to this Policy.
PROCEDURES ASSOCIATED WITH THE HONORIFICS POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Honorifics Policy.

1. Administration

1.1 The responsibility for the administration of this Policy and these Procedures lies with the Provost and Vice-President, Academic, and Provost (UBC Vancouver) in relation to Honorifics at UBC's Vancouver campus, and the Provost and Vice-Principal-President, Academic (UBC Okanagan) in relation to Honorifics at UBC’s Okanagan campus (the “Responsible Executive”).

Academic Components:

2. Honorific Periods (“Period(s)”)”

2.1 Chairs and Professorships are conferred on Holders for a five-year Period and may be extended by up to one (1) year upon the written approval of the Dean.

2.2 A Distinguished Scholar Honorific is normally conferred on a Holder for a minimum of a three (3) year Period and may be extended upon written approval of the Dean to a maximum of five (5) years.

2.3 The written terms of an Honorific may provide a maximum number of Periods for a Holder. For example, an Honorific tied to a Headship is normally limited to two Periods.

3. Conferral Process

3.1 Upon establishment of an Honorific, upon a vacancy where an Honorific does not have a Holder, and at the discretion of the Dean upon the end of a Period, the Dean will convene a committee to make a recommendation to the Dean to confer an Honorific on an Eligible Individual, which may include a recommendation to renew an incumbent Holder for an additional Period if applicable. The Dean may advertise to solicit applications for the Honorific.

3.2 The Dean will make a recommendation for conferral of an Honorific on an Eligible Individual, or renewal in the case of an incumbent Holder if applicable, to the Responsible Executive.
3.3 The Responsible Executive will make a decision, and will notify the Eligible Individual of the conferral of the Honorific on the Holder, or his or her renewal in the case of an incumbent Holder whose honorific is renewed.

**Accountability Components:**

4. **Assessment and Accountability**

4.1 At the beginning of the Period, the Holder must establish specific objectives related to the Honorific as approved by the Dean and in accordance with any written terms of the Honorific.

4.2 The Holder will provide to his or her Department Head and the Dean an annual report of his or her activities related to the Honorific, and if appropriate, an annual report for donors. The annual report at the end of the Holder’s final Period will be a comprehensive report encompassing the achievements of the Holder related to the Honorific.

4.3 If funding is available, a maximum Period has not been reached, and the Holder wishes to be considered for renewal of the Honorific for a subsequent Period, then the Holder will provide to his or her Department Head and the Dean a comprehensive report in the penultimate year of the Period. The Holder’s comprehensive report will be reviewed by the Head, if relevant, and used to make a recommendation to the Dean for renewal for a subsequent Period. If the Dean does not recommend renewal, the Dean will notify the Holder and the Responsible Executive of the recommendation, and the Holder will have 30 days from the date of the notice to make submissions to the Responsible Executive. After the end of the 30 days, the Responsible Executive will make a final decision.

4.4 Subject to reporting requirements established by the Responsible Executive, a Dean may prescribe the form of the reports required.

4.5 If at any time during the Period the Holder is not satisfactorily meeting the objectives of the Honorific, the Dean, in consultation with the Department Head, may make a recommendation to the Responsible Executive to remove the Honorific from the Holder. The Dean will notify the Holder of the recommendation, and the Holder will have 30 days from the date of the notice to make submissions to the Responsible Executive. After the end of the 30 days, the Responsible Executive will make a final decision.

**Financial Components:**

5. **Funding**

5.1 Honorifics may be funded by UBC endowment or fixed term funding.

5.2 The funding required to establish an Honorific may differ depending on the Faculty, and the amount required will be commensurate with the goal of enhancing the capacity of an Honorific to undertake research, teaching and educational leadership activities. The Responsible Executive will create guidelines establishing the minimum amounts required by Faculties, and will periodically adjust the amounts required.
5.3 Funding for fixed term funded Chairs and Professorships is recommended to be for at least 10 years, and at a minimum must be for at least five (5) years. Funding for Distinguished Scholars is recommended to be for at least three (3) years.

5.4 Honorifics dissolve upon termination of their funding source.

6. Use of Funds

6.1 An account shall be created to hold the annual amount available for spending for the purposes of the Honorific (the “Annual Allocation”). The Annual Allocation shall be used pursuant to the mutual agreement between the Holder and the Department Head or the Dean and will normally be used to support research, teaching and educational leadership activities.

6.2 The Annual Allocation will not attract the collection of indirect cost recovery by the University unless expressly permitted by an arrangement or agreement establishing an Honorific.

6.3 The Annual Allocation may be used for honoraria, salary and benefits for UBC employees, including but not limited to Holders, subject to the following provisions:

6.3.1 Unless previously approved by the Responsible Executive, honoraria received by UBC employees must comply with UBC’s policies on honoraria.

6.3.2 Before an Honorific can be conferred on an Eligible Individual where the Faculty intends to use all or a portion of the Annual Allocation to support salary or benefits of any UBC employee, the Department Head must create a Financial Sustainability Plan and obtain the approval of the Dean and the Responsible Executive.

6.3.3 “Financial Sustainability Plan” means a plan identifying resources that will support the salary and benefits of any UBC employee during the Period of the Honorific and on an ongoing basis or until the end of his or her appointment. A Financial Sustainability Plan must:

(a) Ensure that funding is sufficient for the Period of the Honorific by providing for salary increases during the Period; and

(b) Identify the manner in which the salary and benefits of any relevant UBC employee will be paid if and when the Eligible Individual ceases to be a Holder.

6.3.4 The Responsible Executive requires the following steps to be undertaken by the Faculty before it will approve a Financial Sustainability Plan:

(a) Prior to advertising the existence of an Honorific or conferring an Honorific on a Holder, the academic unit is required to identify the resources associated with the potential Holder (e.g. financial, space, rank) and to provide appropriate letters guaranteeing financial or other resource commitments to the Dean; and
(b) Following approval from the Dean, the request to hire and/or confer the Honorific shall be forwarded to the Responsible Executive for final approval, prior to the Dean granting permission to proceed.

Faculties of Medicine and Dentistry:

7. Additional Considerations Regarding Use of Funds

7.1 The Annual Allocation may also be used to buy out clinical time, which means that the Annual Allocation can be used to decrease clinical responsibilities in order to increase protected time for research and other academic activities. This is not considered to be salary support.
EXPLANATORY NOTES REGARDING THE
HONORIFICS POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Honorifics Policy. These Explanatory Notes do not replace or supersede the content of the Honorifics Policy and its Procedures.

Policy Long Title: Chair, Professorship and Distinguished Scholar Honorifics

Policy Short Title: Honorifics Policy

Policy Number: LR1

Responsible Executive: Provost and Vice-President, Academic and Provost (UBC Vancouver) and Provost and Vice-Principal-President, Academic (UBC Okanagan)

Responsible Board Committee: Learning & Research Committee

Related Policies: GA2 - Regulatory Framework Policy
GA6 - Naming Policy
AP4 - Faculty Term Appointments Policy
LR6 - Killam Professors Policy
FM5 - Endowment Policy
FM6 - Fundraising Policy

History:
- The Honorifics Policy was first approved by the Board of Governors in December 1987;
- The Honorifics Policy was revised in April 2014;
- The Honorifics Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Honorifics Policy, its long title is Chair, Professorship and Distinguished Scholar Honorifics, and its number is LR1. The previous identification number for this policy was #47.

Related Legislation: N/A
The University of British Columbia  
Board of Governors

Policy No.: LR2

Long Title: Research

Short Title: Research Policy

Background & Purposes:

A core function of UBC is the pursuit and dissemination of discovery and knowledge through research and enquiry. This Policy aims to set out the responsibilities and standards required of UBC Persons involved in Research and to articulate the authority, requisite processes, and requirements surrounding various aspects of Research activity undertaken by UBC and UBC Persons.

Defined terms are capitalized in this Policy and Procedures.

1. Scope

1.1 This Policy applies to all UBC Persons who conduct, supervise or otherwise participate in Research ("UBC Researchers").

1.2 UBC Researchers are responsible to UBC for the manner in which they conduct their Research and must comply with this Policy, the Funding Terms, and any other requirements of UBC, including those set out in the Procedures.

1.3 "Funding Terms" means the policies, rules and regulations that govern the use of Research Funds. They may come from various sources including UBC policies, the provisions of a contract for Research Funds, or the policies of the organization providing the Research Funds. Please note that the terms and conditions associated with an application for Research Funds are often incorporated into the Funding Terms.

1.4 “Publish” and “Publication” mean making the results of Research publicly available, whether through papers in scholarly journals or otherwise.

1.5 "Research" means any disciplined enquiry or systematic investigation intended to extend knowledge or to establish facts or principles that is conducted by UBC Persons acting in their UBC capacity but does not include quality assurance and quality improvement studies, program evaluation activities and performance reviews, or testing within normal educational requirements when undertaken for UBC's internal assessment, management or improvement purposes ("Internal Assessment"). For greater certainty, where data is collected for Internal
Assessment but later used for Research purposes, such secondary use of the Internal Assessment data constitutes Research to which this Policy applies.

1.6 "Research Funds" means any funds designated to be used to pay expenses related to the conduct of Research, including funds directed to UBC through third party donations, grants, awards and other contractual funding arrangements as well as funding from internal UBC sources.

1.7 "UBC Person" means full-time and part-time faculty members, students, and staff members of UBC and any other person who is employed by, holds an appointment at, or otherwise participates in scholarly activity at or under the auspices of UBC or under the supervision of a UBC Researcher. For greater certainty, UBC Persons include but are not limited to students, adjunct and clinical faculty, librarians, lecturers, post-doctoral fellows, faculty on study leave, emeritus professors, honorary professors, research associates, staff members, volunteers, and visiting scholars.

2. General

2.1 Every application for external Research Funds (including renewals of prior awards) must be approved by the Responsible Executive or his or her delegate in accordance with the processes and procedures maintained by the Office of Research Services and the University-Industry Liaison Office.

2.2 Research Funds are held by UBC and are not the property of any individual UBC Researcher. Unless otherwise directed by UBC, anything purchased with Research Funds becomes the property of UBC. UBC will only direct otherwise where it is permitted by the Funding Terms.

2.3 UBC wishes to facilitate the discovery and the development and dissemination of knowledge. Accordingly, the ability of UBC Researchers to Publish the results of Research must be protected in all instances, including in all Funding Terms, subject only to the limited exceptions set out in the Procedures.
Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Research Policy.

1. **Administration**

1.1 The **Vice-President, Research and International Innovation** is designated as the Responsible Executive having responsibility for the administration of this Policy and these Procedures.

1.2 The Responsible Executive may sub-delegate duties hereunder but remains responsible for oversight and answerable to the President with respect to such duties.

1.3 The Responsible Executive may issue and maintain administrative directives (“Directives”) regarding the subject matter of the Policy and these Procedures, providing, however, that such Directives must not be inconsistent with the Policy or Procedures. UBC Persons must comply with Directives. Prior to creating or substantively revising a Directive the Responsible Executive will establish an advisory committee which will consist of representatives from the Office of the University Counsel and the units responsible for the subject matter of the Directive as well as representatives of the primary UBC constituencies that would be impacted by the Directive. The advisory committee will provide advice to the Responsible Executive on the form and content of the applicable Directive. All Directives can be found at [http://universitycounsel.ubc.ca/policies/index/](http://universitycounsel.ubc.ca/policies/index/).

1.4 As used in these Procedures:

1.4.1 **"Principal Investigator"** means the UBC Researcher who has primary responsibility for the design, conduct and supervision of a Research project. The Principal Investigator is normally the person identified as such to the funding agency and will normally be delegated Research Spending Responsibility over any Research Funds spent for a Research project.

1.4.2 **“Provost”** means, as applicable, the Provost and Vice-President, Academic—(UBC Okanagan) or the Provost and Vice-President, Academic—(UBC Vancouver).

1.4.3 **“University Veterinarian”** means the veterinarian employed by UBC Animal Care Services to manage UBC’s veterinary services for UBC’s Animal Care and Use Program.
2. Responsibilities

2.1 Without limiting the generality of section 1.2 of the Policy, UBC Researchers must:

2.1.1 ensure all Research is conducted to the highest scientific, ethical, and professional standards, and in accordance with the Scholarly Integrity Policy;

2.1.2 ensure any proposed or resulting Research involving human subjects complies with the Human Research Policy;

2.1.3 ensure any proposed or resulting Work with Animals complies with the policies of the ACC and the other requirements necessary to maintain the UBC GAP Certificate (as defined in section 6 of these Procedures);

2.1.4 ensure any proposed or resulting Research is conducted safely in accordance with all applicable laws, regulations, and in accordance with the safety policies of UBC including without limitation UBC policies governing the safe use of equipment, biohazardous materials, radioactive materials, and certain chemical materials;

2.1.5 ensure they comply with all Funding Terms;

2.1.6 ensure all Research Funds are properly managed, which will include ensuring all expenditures authorized against UBC accounts conform with the approved budget and with UBC policies on financial management including the Research Over-Expenditure Policy;

2.1.7 where they have Research Spending Responsibility for a UBC research account, notify the Responsible Executive immediately upon becoming aware of any circumstances which could: (i) hinder or prevent the satisfactory completion of the Research project related to such research account; or (ii) impact the UBC Researcher’s eligibility for Research Spending Responsibility;

2.1.8 ensure they and all aspects of the Research project are compliant with the COI Policy;

2.1.9 inform themselves of the regulatory framework relevant to their Research;

2.1.10 where they wish to mobilize the results of Research, including through commercialization, to do so in accordance the Inventions Policy;

2.1.11 ensure the work of UBC employees in the furtherance of Research is carried out in compliance with applicable legal employment standards and the policies and procedures of UBC Human Resources; and

2.1.12 where they are the Principal Investigator, ensure all members of the Research team are aware of and comply with the foregoing requirements.
2.2 UBC is committed to providing an environment that supports UBC Researchers and fosters the best Research practices. In that regard the Responsible Executive has established offices responsible for:

2.2.1 the negotiation of Research contracts between UBC and public sector contracting agencies, industry, or any other third parties;

2.2.2 the negotiation of licences and other contracts which deal with UBC-owned intellectual property;

2.2.3 accepting and administering awards of Research Funds secured in accordance with the requirements of this Policy and these Procedures;

2.2.4 maintaining the research ethics boards necessary to review and maintain oversight of the ethical acceptability of Research involving human participants; and

2.2.5 maintaining the UBC GAP Certificate in order to meet certain Research funding eligibility requirements.

3. External Funding

3.1 Applications - Every application for external Research Funds (including renewals of prior awards) must be approved by the Responsible Executive or delegate in accordance with the processes and procedures maintained by the Office of Research Services and the University-Industry Liaison Office. Guidance about which units at UBC are responsible for obtaining the appropriate UBC approvals on applications for external Research Funds can be found on the website maintained by the Office of Research Services. Every application for external Research Funds and a complete application package must be provided to the Office of Research Services before the application can be considered and approved by UBC. UBC may refuse any award of Research Funds arising from an application not properly approved by UBC.

3.2 Signing Contracts - Various organizations provide financial or other support for Research. No UBC Person can sign contracts or commitments which are binding on UBC unless they have been delegated that authority by the UBC Board of Governors pursuant to a Board of Governors Policy or pursuant to a Signing Resolution issued by the Signing Committee of the UBC Board of Governors. UBC may refuse any award of Research Funds arising from a contract not properly signed. UBC Persons must ensure that all contracts are properly signed. Guidance about which units at UBC are responsible for obtaining the appropriate signatures on contracts related to Research Funds can be found on the website maintained by the Office of Research Services.

3.3 Personal Contracts – If a UBC Person chooses to enter into a contract directly with a third party then the contract is the personal responsibility of that UBC Person. UBC is not liable for any obligations that may arise under a personal contract entered into between a UBC Person and a third party. UBC will not accept such contracts or any monies payable under such personal contracts for administration. No UBC facilities or UBC resources may be used for work carried out under such contracts. Any UBC Person entering into a personal contract must comply with the COI Policy.
3.4 Approval of Funding – When funding has been approved by a funding agency the Principal Investigator is responsible for providing the Office of Research Services with a copy of any documents containing the Funding Terms from the funding agency unless they have already been sent to the Office of Research Services directly by the funding agency.

3.5 Donations - Funds for Research are periodically received in the form of donations and thus formal grant applications may not exist. Donations are to be processed through the Development Office in accordance with the Fundraising Policy. Donation documents containing Funding Terms will be sent to the Office of Research Services by the Development Office.

3.6 Indirect Cost Recovery – The Responsible Executive may establish requirements for the recovery of the indirect cost of research from Research Funds. Any such requirements can be accessed from the website maintained by the Office of the Vice-President, Research and International Innovation.

4. Administration of Research Funds

4.1 Eligibility for Research Spending Responsibility – All Research Funds must be received by UBC and deposited into UBC research accounts. UBC delegates to eligible UBC Persons the responsibility for ensuring that these research accounts are managed properly and in accordance with UBC policies, Funding Terms, and any other applicable requirements ("Research Spending Responsibility"). The following UBC Persons are eligible for Research Spending Responsibility:

4.1.1 UBC Persons who have a tenure stream faculty appointment as a Professor, Associate Professor, Assistant Professor, Instructor, Senior Instructor, or Professor of Teaching or comparable Emeritus status;

4.1.2 UBC Persons who have one of the following faculty term appointments without review and also have the prior written approval of both the appropriate Department Head and Dean: (i) Professor, (ii) Associate Professor, (iii) Assistant Professor, (iv) Instructor, (v) Senior Instructor, (vi) Professor of Teaching, (vii) Adjunct Professor, (viii) Clinical (ix) Honorary or (x) Research Associate;

4.1.3 Librarians who have the prior written approval of the University Librarian; and

4.1.4 Post-Doctoral Fellows solely where the Funding Terms for a research project specifically require it and they have the prior written approval of both the appropriate Department Head and Dean.

Research Spending Responsibility will not be granted to students or visitors. UBC Persons with positions not addressed above will require the written approval of both their Department Head and Dean (as applicable) and the Provost prior to being granted Research Spending Responsibility.

4.2 The Office of Research Services or the University-Industry Liaison Office (as applicable) must ensure that all persons granted Research Spending Responsibility are approved for such Research Spending Responsibility and are legally bound to comply with UBC policies, rules and
procedures on the conduct of Research before such Research Spending Responsibility is granted.

4.3 **Opening and Amending Accounts** - No payment may be made from any Research Funds until the opening of a financial research account (or the amendment of an existing account) has been authorized in writing by the Office of Research Services or the University-Industry Liaison Office. Requests for new accounts or amendments, such as budget increases to existing accounts, must be made in writing in accordance with the processes implemented by the relevant office.

4.4 **Delegation of Research Spending Responsibility** - UBC Researchers given Research Spending Responsibility for a UBC research account may delegate their authority to approve expenditures from such research account to another UBC staff or faculty member provided that their Department Head is notified in writing of the delegation. For clarity, any UBC Researcher with Research Spending Responsibility who delegates authority will continue to be responsible for ensuring all transactions in such research account, including all expenditures approved by the person(s) with delegated authority, are fully compliant with Funding Terms, UBC policies and any other applicable requirements.

4.5 **Payment of Funds** - Any Research Funds must be payable directly to UBC. UBC Researchers must not accept funds in support of Research made payable to the UBC Researcher personally. In the event Research Funds are received directly by UBC Researchers such funds should be forwarded to the Vice-President, Research and International Innovation Portfolio Finance Group.

4.6 **Responsibility for Financial Statements** - Financial statements or claims, if required by the sponsoring agency, will be prepared by the Vice-President, Research and International Innovation Portfolio Finance Group on the basis of their records. The Responsible Executive may authorize certain UBC employees, or classes of employees, to issue and sign financial statements or claims on behalf of UBC. UBC Researchers may request amendments to such statements or claims if it can be established, with supporting evidence, that the statements or claims are in error.

4.7 **Payments to Employees** - All payments for services to UBC employees (in their capacity as employees) must be paid through the UBC payroll system managed by UBC Financial Operations. Research project budgets must account for required source deductions and employee benefits.

4.8 **Payments to Independent Contractors** - All payments for services in support of UBC Research made to independent contractors (incorporated or unincorporated) must be paid in accordance with the processes established by UBC Financial Operations.

4.9 **Purchase of Equipment and Supplies** – All purchases of equipment and supplies for UBC Research must be made in accordance with the processes established by UBC Financial Operations.

4.10 **Travel Expenses** - Travel expenses incurred for UBC Research must be incurred and reimbursed in accordance with the Business Expenses Policy.
4.11 **Honoraria** – The execution or approval of any applications, grants, donations, or contracts between UBC and a third party that involves the payment of honoraria to UBC Persons must be approved in writing by:

4.11.1 the Head of Department or Director of the UBC Person; and

4.11.2 the Dean of the Faculty where the UBC Person holds his or her primary appointment (where applicable).

Where such approval has been obtained, UBC signing officers are authorized to sign or approve such applications, grants, or contracts on behalf of UBC, and UBC staff are authorized to pay such honoraria (in accordance with UBC procedures), subject to the following sentence. Where honoraria for a UBC Person from all third party sources (contracts, grants, etc. whether the funding source is Research related or otherwise and whether the honorarium is for Research activities or otherwise) exceeds one-sixth of the UBC Person's total compensation (excluding benefits) from UBC during the annual period July 1 to June 30, then the approval in writing of the Provost is also required in addition to the approvals listed in sections 4.11.1 and 4.11.2.

4.12 **Separate Accounts** – Research Funds from different sources may not be placed in the same UBC account except where permitted by UBC’s financial policies and procedures. Transfers between UBC accounts may only be made if a) the transfer is permitted by all applicable Funding Terms and b) is permissible pursuant to the financial policies and procedures of UBC.

5. **Publication**

5.1 UBC Researchers must be able to Publish the results of all Research subject only to the restrictions outlined in sections 5.2 to 5.5 of these Procedures. Where consensus about Publication cannot be achieved between UBC Researchers involved in a Research project, a UBC Researcher may request the assistance of the Office of the Vice-Vice-President, Research and International Innovation which will make every effort to facilitate a resolution of any disagreements. The Office of the Vice-Vice-President, Research and International Innovation may obtain assistance and advice from appropriately qualified persons with respect to any such matter. Where UBC Researchers are involved in a research project, no UBC Researcher can unilaterally withhold the right of others to Publish.

5.2 **Sponsor Requirements** - A Research funding sponsor may be given the right under the Funding Terms to have the initial right to publish Research results, or to review such publication in advance. Funding Terms must ensure that UBC is completely free to Publish the Research results, typically within 90 days but in all cases, no later than 12 months after termination of the project or submission of the final report, whichever is later. Delays in Publication at the request of a Research sponsor are permissible only if the public interest is best served by such a delay or if patent protection is being sought.

5.3 **Fee-for-Service Work** - UBC may, upon the request of the relevant Principal Investigator, enter into contracts with third parties to provide such third parties access to unique UBC research related expertise and facilities on a fee-for-service basis ("Fee-for-Service Projects"). Under a Fee-for-Service Project, UBC may relinquish the right to retain and use data from the Fee-for-
Service Project and the right of the UBC Researchers to Publish the results. Fee-for-Service Projects must typically meet the following criteria:

5.3.1 they involve routine use of research equipment or facilities;

5.3.2 they are not supported directly by external Research Funding other than the funds provided by the third party funding the Fee-For-Service-Project;

5.3.3 the third party is required to provide UBC with reasonable compensation for the provision of services, equipment or facilities;

5.3.4 they do not include the participation of any students in their thesis related Research;

5.3.5 the UBC Researcher(s) involved have confirmed that they do not wish to retain data or Publish the results of the work undertaken; and

5.3.6 the UBC Researcher(s) involved have no conflict-of-interest with the third party funding the Fee-For-Service-Project.

The Responsible Executive has the authority, in the event of a disagreement, to determine whether a project meets the criteria of a Fee-for-Service Project.

5.4 Theses - No restriction shall prohibit or delay in any way the use of Research results by graduate students in the Publication of their theses or for other academic purposes except in the circumstances outlined in section 5.2 with the written consent of the student prior to the student’s involvement in the relevant research project.

5.5 Confidential Data - If, under the terms of a funding contract, a sponsor agrees to provide data essential to the Research which is clearly labeled as confidential data, UBC may, with the consent of the Principal Investigator, accept such a contract and observe such confidentiality obligations provided that the results of the Research may be Published without identifiable reference to the confidential data and that no limitations are placed on the Publication of results other than those outlined in this section 5.5.

6. Working with Animals in Research and Teaching

6.1 Canadian Council on Animal Care – UBC is the holder of a Good Animal Practice Certificate (“UBC GAP Certificate”) issued by the Canadian Council on Animal Care (“CCAC”). To ensure UBC is in compliance with the standards required to maintain the UBC GAP Certificate, UBC operates an Animal Care and Use Program which includes an Animal Care Committee (“ACC”) that reports to the Responsible Executive, with Terms of Reference consistent with those mandated by the CCAC. Copies of the policies of the ACC may be found at www.animalcare.ubc.ca. All Research or teaching involving animals at UBC or governed by the UBC GAP Certificate (“Work with Animals”) must comply with ACC policies and the animal use protocol approved by the ACC for such Research or teaching.
6.2 **Responsibility of User** – Work with Animals is a privilege granted to certain UBC Persons. It is the responsibility of each UBC Person involved in Work with Animals to ensure such Work with Animals meets high scientific standards and, in the case of teaching, has pedagogical merit.

6.3 **Animal Care Committee** - The Responsible Executive has delegated to the ACC the authority to implement and enforce policies to ensure compliance with any requirements necessary to maintain the UBC GAP Certificate including the authority to approve, monitor and intervene in any Work with Animals conducted at UBC or governed by the UBC GAP Certificate including the procurement and living conditions of the animals.

6.4 **Authority of UBC Veterinarians** - The ACC may delegate portions of its authority to the University Veterinarian. Such delegated authority may include the authority to:

6.4.1 inspect, at his or her discretion, all animal facilities involving animals under the control of UBC or governed by the UBC GAP Certificate to ensure that standards of housing and care are uniformly acceptable;

6.4.2 review and advise UBC Persons on methods of facility maintenance and use;

6.4.3 advise on the design of new and renovated animal facilities; and

6.4.4 co-ordinate the basic training of UBC Persons who Work with Animals.

The University Veterinarian oversees all veterinarians operating under the direction of UBC's Animal Care and Use Program (“UBC Veterinary Practitioners”). UBC Veterinary Practitioners have been delegated the authority in an emergency to treat, remove from a study, or otherwise intervene in Work with Animals and to proceed with any necessary emergency measures.

6.5 **Animal Facilities** – No animal facilities under the control of UBC or governed by the UBC GAP Certificate may be constructed or renovated until the Responsible Executive or, where such authority has been delegated, the University Veterinarian has approved the design of such construction or renovation.

6.6 **Acquisition of Animals** - The acquisition of animals to be used in Work with Animals must be approved by the ACC and carried out in accordance with the processes and procedures maintained by UBC Animal Care Services.

7. **Reporting of Concerns**

7.1 UBC will consider allegations of non-compliance with this Policy or these Procedures made against those to whom this Policy applies and, where appropriate, investigate such allegations. Such investigations will be conducted in accordance with UBC's processes. In the event the allegations relate to matters addressed by another UBC policy or its procedures, the investigation will be conducted in accordance with the policy deemed most suitable by UBC.

UBC Persons are expected to report in good faith any information pertaining to possible non-compliance with this Policy and these Procedures to UBC, and must cooperate fully with UBC in any process under this Policy. UBC will not tolerate any retaliation against anyone who, in good
faith, makes an allegation, gives evidence, or otherwise participates in a process under this Policy.
The OUC has prepared these Explanatory Notes to provide context and background regarding the Research Policy. These Explanatory Notes do not replace or supersede the content of the Research Policy and its Procedures.

Policy Long Title: Research

Policy Short Title: Research Policy

Policy Number: LR2

Responsible Executive: Vice-President, Research and International
Vice-President, Research and Innovation

Responsible Board Committee: Learning & Research Committee

Related Policies:
- GA2 - Regulatory Framework Policy
- SC1 - Health and Safety Policy
- FM8 - Business Expenses Policy
- SC6 - Scholarly Integrity Policy
- LR11 - Inventions Policy
- LR9 - Human Research Policy
- FM4 - Research Over-Expenditure Policy
- SC3 - COI Policy
- FM6 - Fundraising Policy

History:
- The Research Policy was first approved by the Board of Governors in July 1993;
- The Research Policy was revised in April 2016;
- The Research Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Research Policy, its long title is Research, and its number is LR2. The previous identification number for this policy was #87.

Related Legislation: N/A
The University of British Columbia
Board of Governors

Policy No.:
LR4

Long Title:
Consultation with Students about Tuition and Mandatory Fees

Short Title:
Tuition Consultation Policy

Background & Purposes:

In order for the University to have full information in making its decisions on Tuition and Mandatory Fees in a timely and orderly fashion, this Policy establishes a process for consultation with the Elected Student Leadership and its students.

Defined terms are capitalized and can be found in section 2 of this Policy.

1. General

1.1 The Responsible Executive, with the support of the relevant Deans, will consult with the Elected Student Leadership. The Responsible Executive will undertake additional consultations with such portions of the student body as the Responsible Executive determines to be desirable and appropriate.

1.2 Prior to submission to the Board of Governors for approval, consultation will be undertaken on the amount of any:

1.2.1 increases to Tuition or Mandatory Fees that apply to specific Programs;

1.2.2 new Tuition or Mandatory Fees that apply to specific Programs;

1.2.3 general increases to Tuition or Mandatory Fees that apply across multiple Faculties; and

1.2.4 new Mandatory Fees that apply across multiple Faculties.

1.3 The general steps that will apply to the consultation process are as follows:

1.3.1 The University will provide sufficient information to the Elected Student Leadership to allow informed advice. The Elected Student Leadership should engage those of its constituents most affected by the specific Program(s) under consultation.

1.3.2 The University will provide an opportunity for the Elected Student Leadership to give thoughtful consideration to pertinent issues, consult their constituents in concert with
the Responsible Executive and tender their opinions and advice to the Responsible Executive.

1.3.3 In making its decision on a recommendation to the Board of Governors, the UBC administration will take into consideration the opinions and advice received by the Responsible Executive from the consultation process.

1.3.4 The Responsible Executive will provide the recommendation of the UBC administration to the Elected Student Leadership.

1.3.5 If the Elected Student Leadership wishes to provide its opinions and advice to the Board of Governors before the Board makes its final decision, it may do so in writing to the Responsible Executive, who will provide it to the Board of Governors.

1.3.6 Where a proposed increase to Tuition or Mandatory Fees is at or below the Higher Education Price Index, the Responsible Executive may provide for a simplified consultation process.

1.3.7 At any time, the Responsible Executive and the Elected Student Leadership may agree upon alternative arrangements for consultation on a case-by-case basis.

2. Definitions

2.1 “Dean” means:

2.1.1 with respect to consultation on a Program, the Dean of the Faculty in which the Program is offered, or his/her designate(s); and

2.1.2 with respect to consultation on Tuition and/or Mandatory Fees specific to Vantage College, the Principal of Vantage College, or his/her designate(s);

2.2 “Elected Student Leadership” means the President(s) of the relevant elected student organization(s) or his/her designate(s);

2.3 “Higher Education Price Index” means the inflation index designed specifically to track the main cost drivers in higher education as calculated annually by the Commonfund Institute.

2.4 “Mandatory Fees” means charges a student must pay to complete a Program, as approved by the UBC Board of Governors;

2.5 “Provost” means the Provost and Vice-President, Academic (UBC Vancouver) in respect of UBC Vancouver matters, the Provost and Vice-President, Academic (UBC Okanagan) in respect of UBC Okanagan matters, and both the Provost and Vice-President, Academic (UBC Vancouver) and the Provost and Vice-President, Academic (UBC Okanagan) in respect of matters related to both UBC Vancouver and UBC Okanagan, including matters related to dual-campus faculties.
2.42.6 “Program” means a Senate-approved program leading to a UBC degree;

2.52.7 “Responsible Executive” means:

2.6.1 the individual(s) assigned by the President, from time to time, to be responsible for the administration of this Policy and any associated Procedures; and

2.6.2 any sub-delegate of that assigned responsible individual(s) except to the extent that the power to delegate is specifically excluded in this Policy or in the appointment by the President; and

2.62.8 “Tuition” means the amount a student must pay for courses towards a Program, as approved by the UBC Board of Governors.
PROCEDURES ASSOCIATED WITH THE TUITION CONSULTATION POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Tuition Consultation Policy.

1. Assignment of Responsible Executive

1.1 The Responsible Executive will be the Vice-President, Students.

1.2 Sub-Delegation: The Responsible Executive is not limited in sub-delegation of the duties hereunder but remains responsible for oversight and answerable to the President.

2. Constituents

2.1 For Tuition and Mandatory Fees that apply to specific Programs, the Dean will consult with: the Alma Mater Society of the University of British Columbia, the Graduate Student Society of UBC Vancouver, and the University of British Columbia Students’ Union Okanagan, as appropriate; and the Program-based Elected Student Leadership, if any. In addition, the Dean may consult more broadly with the student body in the applicable Program(s).

2.2 For Tuition and Mandatory Fees that apply across multiple Faculties, the Responsible Executive will consult with the Alma Mater Society of the University of British Columbia, the Graduate Student Society of UBC Vancouver, and the University of British Columbia Students’ Union Okanagan, as appropriate, and in addition, may consult more broadly with the general student body.

3. Consultation Process for Increases to Tuition and Mandatory Fees that Apply to Specific Programs

3.1 The Dean will establish a schedule of formal meetings and mechanisms for the consultation process(es) that will take into consideration comments from the Elected Student Leadership and will be guided by best practices as articulated by the Responsible Executive. The schedule will allow sufficient time for students and the Elected Student Leadership to respond in an informed manner.

3.2 The consultation process should normally include the following elements:

3.2.1 To foster informed comments on a proposed increase to Tuition or Mandatory Fees for specific Program(s), the Dean should provide the Elected Student Leadership with the
The substance of the relevant portions of the budget proposal for the Faculty that will ultimately be submitted to the applicable Provost.

3.2.2 Without limiting the Dean’s discretion to formulate the Faculty’s final submission to the applicable Provost, the Dean should request and consider comments on the proposed increase to Tuition or Mandatory Fees from the Elected Student Leadership.

3.2.3 The Dean should inform the applicable Provost about the comments received from the Faculty’s students and Elected Student Leadership.

3.2.4 At least 10 days in advance of the meeting at which the Board of Governors will be asked to approve the proposed increase to Tuition or Mandatory Fee for the Program, the Responsible Executive will forward the substance of the Board submission containing the recommendation to the Dean and the Elected Student Leadership. If the Elected Student Leadership wishes to provide written comments to the Board of Governors before the Board makes its final decision, it may do so to the Responsible Executive, who will provide it to the Board of Governors.

4. Consultation Process for New Tuition and Mandatory Fees that Apply to A Specific Program

4.1 The Dean will establish a schedule of formal meetings and mechanisms for the consultation process(es) that will take into consideration comments from the Elected Student Leadership and will be guided by best practices as articulated by the Responsible Executive. The schedule will allow sufficient time for students and the Elected Student Leadership to respond in an informed manner.

4.2 The consultation process should normally include the following elements:

4.2.1 To foster informed comments on new Tuition or Mandatory Fees for specific Program(s), the Dean should provide the Elected Student Leadership with the following information:

(a) the substance of the relevant portions of the budget proposal for the Program that will ultimately be submitted to the applicable Provost; and

(b) where the Program is new or amended and therefore requires Senate approval, the substance of the Program proposal that will ultimately be submitted to the UBC Okanagan Senate Curriculum Committee or the applicable Sub-Committee of the UBC Vancouver Senate.

4.2.2 Without limiting the Dean’s discretion to formulate the Faculty’s final submission to the applicable Provost, the Dean should request and consider comments on Tuition and Mandatory Fees from the Elected Student Leadership.

4.2.3 The Dean should inform the applicable Provost about the comments received from the Faculty’s students and Elected Student Leadership.
4.2.4 At least 10 days in advance of the meeting at which the Board of Governors will be asked to approve the proposed Tuition or Mandatory Fee for the Program(s), the Responsible Executive will forward the substance of the Board submission containing the recommendation to the Dean and the Elected Student Leadership. If the Elected Student Leadership wishes to provide written comments to the Board of Governors before the Board makes its final decision, it may do so to the Responsible Executive, who will provide it to the Board of Governors.

5. Consultation Process for General Increases to Tuition and Mandatory Fees that Apply Across Multiple Faculties

5.1 The Responsible Executive will establish a schedule of formal meetings and mechanisms for the consultation process(es) that will take into consideration comments from the Elected Student Leadership and will be guided by best practices. The schedule will allow sufficient time for students and the Elected Student Leadership to respond in an informed manner.

5.2 The consultation process should normally include the following elements:

5.2.1 To foster informed comments on general increases to Tuition and Mandatory Fees that apply across multiple Faculties, the Responsible Executive should provide the Elected Student Leadership with the following information:

(a) The substance of the relevant portions of the Faculties’ budget proposals that will ultimately be submitted to the applicable Provost; and

(b) the substance of the relevant portions of the consolidated budget proposal that will ultimately be submitted to the Board of Governors.

5.2.2 Without limiting the UBC administration’s discretion to formulate its final submission to the Board of Governors, the Responsible Executive should request comments on general increases to Tuition or Mandatory Fees from the Elected Student Leadership and the UBC administration should consider comments received from students and the Elected Student Leadership.

5.2.3 At least 10 days in advance of the meeting at which the Board of Governors will be asked to approve the proposed general increase to Tuition or Mandatory Fees, the Responsible Executive will forward the substance of the Board submission containing the recommendation to the Elected Student Leadership. If the Elected Student Leadership wishes to provide written comments to the Board of Governors before the Board makes its final decision, it may do so to the Responsible Executive, who will provide it to the Board of Governors.

6. Consultation Process for New Mandatory Fees that Apply Across Multiple Faculties

6.1 The Responsible Executive will establish a schedule of formal meetings and mechanisms for the consultation process(es) that will take into consideration comments from the Elected Student Leadership.
Leadership and will be guided by best practices. The schedule will allow sufficient time for students and the Elected Student Leadership to respond in an informed manner.

6.2 The consultation process should normally include the following elements:

6.2.1 To foster informed comments on new Mandatory Fees that apply across multiple Faculties, the Responsible Executive should provide the Elected Student Leadership with the following information:

(a) The substance of the relevant portions of the Faculties’ budget proposals that will ultimately be submitted to the applicable Provost; and

(b) the substance of the relevant portions of the consolidated budget proposal that will ultimately be submitted to the Board of Governors.

6.2.2 Without limiting the UBC administration’s discretion to formulate its final submission to the Board of Governors, the Responsible Executive should request comments on new Mandatory Fees from the Elected Student Leadership and the UBC administration should consider comments received from students and the Elected Student Leadership.

6.2.3 At least 10 days in advance of the meeting at which the Board of Governors will be asked to approve the proposed Mandatory Fee, the Responsible Executive will forward the substance of the Board submission containing the recommendation to the Elected Student Leadership. If the Elected Student Leadership wishes to provide written comments to the Board of Governors before the Board makes its final decision, it may do so to the Responsible Executive, who will provide it to the Board of Governors.
EXPLANATORY NOTES REGARDING THE TUITION CONSULTATION POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Tuition Consultation Policy. These Explanatory Notes do not replace or supersede the content of the Tuition Consultation Policy and its Procedures.

Policy Long Title: Consultation with Students about Tuition and Mandatory Fees

Policy Short Title: Tuition Consultation Policy

Policy Number: LR4

Responsible Executive: Vice-President, Students

Responsible Board Committee: Learning & Research Committee

Related Policies: GA2 - Regulatory Framework Policy

History:
- The Tuition Consultation Policy was first approved by the Board of Governors in December 1994;
- The Tuition Consultation Policy was revised in December 2015;
- The Tuition Consultation Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Tuition Consultation Policy, its long title is Consultation with Students about Tuition and Mandatory Fees, and its number is LR4. The previous identification number for this policy was #71.

Related Legislation: N/A
Background & Purposes:

To set out the terms and conditions under which scholars at UBC may receive a research grant in lieu of salary during periods other than study leave.

1. General

1.1 The research grant during periods other than study leave program permits scholars to receive a research grant in lieu of salary through a mechanism involving peer review, under certain conditions as established by Revenue Canada. To be eligible, the purpose and objectives of the expenditures proposed must be warranted in the context of the research outlined. The grant may be used for all purposes of a Grant-In-Aid of research, but not to supplement income. In accordance with Revenue Canada guidelines, this program covers only research activities -- those involving critical or scientific inquiry aimed at the discovery of new interpretations or applications -- and is not intended to cover projects directed at teaching or the development of teaching- or research-related skills. When the research grant has been established, the funds are no longer considered to be a salary, but constitute a research grant.

1.2 Grants awarded under this program are regarded as taxable income. However, the grant payment is treated as T4A income for tax purposes and accordingly, no income tax is deducted at source by the University. The award recipient is responsible for reporting the income to Revenue Canada and declaring eligible expenditures against it.
PROCEDURES ASSOCIATED WITH THE RESEARCH GRANTS POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Research Grants Policy.

1. General Revenue Canada Requirements

1.1 The type of research undertaken in the program must be of a type which is separate and apart from research work ordinarily expected under the researcher’s terms of employment. Also, the non-specific research component of the researcher’s normal duties of employment is to be reduced by a level reasonably corresponding to the value of the award. The signatures of the applicant, the Administrative Head of Unit and the Dean (or equivalent) on the application form attest to these requirements. See Tax Information below.

2. Eligibility

2.1 The Research Grant During Periods Other than Study Leave Program (RGnoSL) is available to individuals, both full- and part-time, whose terms of employment at UBC include the requirement to do independent research.

3. Application Procedures

3.1 Application forms for the RGnoSL are available from the Office of Research Services (Phone 604-822-6155 or 604-822-8584 or e-mail sat@orsil.ubc.ca)

3.2 In completing the application, researchers describe the specific research activity in sufficient detail to allow adjudication of the request by qualified assessors, and to justify fully the budget request in the context of the activity.

3.3 All applications must be approved by the Administrative Head of Unit (Department Head, or Dean in a non-departmentalized faculty, or University Librarian). Approval is for both the prospective research and the agreement to a reduction in non-specific research corresponding to the amount of the grant award, but not for responsibility or liability regarding tax issues.
4. **Application Deadlines**

   4.1 Applications must be received in the Office of Research Services by April 1 or October 1. Awards take effect the following July 1 or January 1 respectively and are for a maximum of twelve months from the start date. Requests for successive awards are submitted annually. Applications received for each deadline date will be reviewed by a panel established by the Executive Committee for Research.

5. **Adjudication**

   5.1 The panel established by the Executive Committee for Research will assess an application on the basis of the quality of the proposal, its description and justification, the justification of budget in relation to the proposal and the applicant’s past research record. The panel may consult with the Head, Dean, Vice-President, Research and Innovation or Provost on eligibility and other matters.

6. **Grant Payment**

   6.1 The researcher and Administrative Head of Unit are informed by letter of the result of the deliberation.

   6.2 If an award is made, Research Services initiates payment. The amount of the research grant is reflected as a reduction in the researcher’s salary and is reported on an income tax T4A slip. Thus, under this program, the researcher’s total income is divided into two components: salary and research grant (income tax is not withheld from the research grant portion). Although the researcher’s salary is reduced by the amount of the research grant, the University will continue to pay benefits on the full regular salary.

7. **Expenses**

   7.1 According to Revenue Canada regulations, research grant-related expenses must be incurred in the same calendar year in which the research grant is received in order to be deductible from the grant. In some cases, research expenses may be incurred in the year immediately preceding or immediately after the year in which the grant is received. Please refer to Canada Taxation Bulletin IT-75R3, available from the Office of Research Services.

   7.2 Travel costs are allowed for purposes essential to the research outlines. The Business Expenses Policy and Policy #84 (Entertainment) apply. According to Revenue Canada guidelines, researchers may claim only their own expenses for travel between home and the place at which they sojourn (temporarily reside) while engaged in research work, provided such travel is essential to the research. Traveling expenses for spouses and children may not be claimed. Researchers are not permitted to claim their own personal and living expenses, including meals and lodgings, which temporarily residing in a place while engaged in research. However, researchers are entitled to claim expenses for meals and lodgings while on brief trips in connection with their research.

   7.3 Grantees who employ assistants must act as employers with all the responsibilities that entails. In particular, grantees are cautioned that statutory deductions for UIC and CPP must
be taken and remitted along with the employer contributions when paying a salary for an assistant or other research personnel. Such employer contributions may be charged to the grant.

8. Leaving the University

8.1 If at any time during the term of a RGnoSL the grantee ceases to be employed by the University or his/her salary ceases, the grant arrangement terminates.

9. Tax Information

9.1 Please note that, although the University approves a RGnoSL:

9.1.1 The question of the deductibility of expenses for income tax purposes must be in accordance with Revenue Canada regulations and such deductions should be claimed with the researcher files his or her personal income tax return.

9.1.2 Any questions with respect to the eligibility of expense deductions must be resolved between the researcher and Revenue Canada. The researcher is solely responsible for any additional income taxes which may become payable.

9.1.3 The researcher is not required to submit an accounting for these funds to the University, but since it is the responsibility of the researcher to support claims for deductions to Revenue Canada, researchers are advised to keep detailed records of research expenditures.

9.1.4 The University is not in a position to offer any more detailed tax information than that which is contained in Revenue Canada Interpretation Bulletin IT-75R3, nor will the University assist the faculty member in the presentation for T4A income or any research deductions to Revenue Canada.

9.1.5 Any questions about taxation regulations should be referred directly to Revenue Canada or to an external (personal) tax advisor.

9.1.6 When a researcher’s non-salary income exceeds $30,000 there may be liability for Good and Services Tax (G.S.T.). Researchers should seek independent tax advice.
EXPLANATORY NOTES REGARDING THE RESEARCH GRANTS POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Research Grants Policy. These Explanatory Notes do not replace or supersede the content of the Research Grants Policy and its Procedures.

Policy Long Title: Research Grants During Periods Other Than Study Leave

Policy Short Title: Research Grants Policy

Policy Number: LR5

Responsible Executive: Vice-President, Research and Innovation

Responsible Board Committee: Finance Committee

Related Policies: GA2 - Regulatory Framework Policy
                  FM8 - Business Expenses Policy
                  #84 - Entertainment

History: • The Research Grants Policy was first approved by the Board of Governors in July 1995;
        • The Research Grants Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Research Grants Policy, its long title is Research Grants During Periods Other Than Study Leave, and its number is LR5. The previous identification number for this policy was #35.

Related Legislation: N/A
Background & Purposes:

To give recognition to the most exceptional members of faculty who have distinguished themselves as scholars and have therefore received the highest acclaim from the academic community and the general public.

1. General

1.1 The designation “University Killam Professor” is conferred by the Board of Governors on the recommendation of the Responsible Executive to recognize exceptional members of faculty who are extraordinary teachers and researchers, who are leaders in their academic fields, and who have received national and international recognition and prestige as a result of these characteristics.

1.2 The designation “University Killam Professor” is the highest honour that the University can confer on a member of faculty.
PROCEDURES ASSOCIATED WITH THE KILLAM PROFESSORS POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Killam Professors Policy.

1. Nomination Requirements and Selection Criteria

1.1 A nomination should be directed to the Responsible Executive by six members of the University community which must include at least one student, one staff member, one faculty member, and one alumnus/a, indicating the extent of the nominee’s acknowledgement by the University community as a person of substantial and widely recognized scholarly distinction. The nomination shall be accompanied by a letter supporting the nomination, a curriculum vitae as well as three arm’s length, external referee letters in support of the nominee’s suitability for the designation.

1.2 To be eligible to be nominated, a candidate must hold the rank of full professor at the University.

1.3 The nomination of an individual to receive the designation of “University Killam Professor” will be evaluated against criteria that demonstrate the characteristics of an exceptional professor worthy of this honour, and must demonstrate consistent excellence in teaching and research. The nomination will be evaluated against a broad set of criteria include the following:

1.3.1 recognition in the academic and wider community as an extraordinary researcher whose accomplishments have made a major impact;

1.3.2 recognition in the academic and wider community as an extraordinary teacher who encourages students to pursue excellence;

1.3.3 demonstration of a superior record of attracting and supervising graduate students and/or postdoctoral fellows within the standards of the relevant discipline;

1.3.4 demonstration of continuing commitment to student success through advising and mentoring inside and outside the classroom and/or laboratory/studio;

1.3.5 achievement of national and international acclaim in the areas of teaching and/or research in the form of an award or recognition of high esteem; and
1.3.6 demonstration of continuing receipt of high degree of respect from students, fellow faculty members, and members of the University administration.

2. Advisory Committee

2.1 On receipt of a nomination of a candidate, the Responsible Executive shall seek the advice of a committee (the “Advisory Committee”) chaired by the Chancellor of the University or, if absent, the Vice President, Research and Innovation, and composed of:

2.1.1 the Chancellor of the University;

2.1.2 the Provost and Vice-President, Academic (UBC Vancouver);

2.1.3 the Provost and Vice-President, Academic (UBC Okanagan) and the Principal and Deputy Vice-Chancellor (Okanagan);

2.1.4 the Vice-Vice-President, Research and Innovation;

2.1.5 the Chair of the Senior Appointments Committee;

2.1.6 up to seven existing University Killam Professors selected by the Responsible Executive; and

2.1.7 up to three additional individuals selected by the Responsible Executive as being individuals who would contribute significantly to the deliberations of the Advisory Committee, which shall include at least one undergraduate or graduate student representative.

2.2 All requirements regarding quorum and procedures and the manner in which meetings will be held will be determined by the chair of the Advisory Committee.

2.3 In determining which candidates to recommend to the Responsible Executive, the Advisory Committee will consider how the University Killam Professors reflect the balance and diversity of the University’s faculty members and their academic fields.

2.4 A positive recommendation made by the Advisory Committee to the Responsible Executive for the conferral of the designation of “University Killam Professor” will, on the recommendation of the Responsible Executive, be forwarded to the applicable Senate for information and to the Board of Governors for approval.

3. Number of Awards

3.1 The University may confer the designation of “University Killam Professor” on up to three individuals in any given academic year, at the discretion of the Board of Governors. The University reserves the right not to confer this designation every year.
3.2 At any given time, the number of University Killam Professors (not including University Killam Professors Emeriti) should not exceed two percent of those faculty members holding the rank of full professor at the University.

3.3 Upon receiving the designation, a University Killam Professor will continue to hold the designation for as long as he or she remains a tenured faculty member at the University, except in extraordinary circumstances, as determined by the Responsible Executive.

4. **Roles and Responsibilities of University Killam Professors**

4.1 University Killam Professors are expected to contribute to the overall intellectual life of the University and to serve as academic ambassadors to the University's external community. While University Killam Professors are expected to continue to fulfill their roles as professors, at the discretion of the Provost and Vice-President, Academic (UBC Vancouver) and the Provost and Vice-Principal, Academic (UBC Okanagan), they may be granted a temporary reduction in teaching responsibility in order to facilitate leadership activities that they undertake. At the discretion of the Provost and Vice-President, Academic (Vancouver) and the Provost and Vice-Principal, Academic (UBC Okanagan), the University may also provide additional resources in order to enhance the capacity of University Killam Professors to play this leadership role.

4.2 Within one year after receiving the designation of “University Killam Professor”, each University Killam Professor shall deliver a lecture to the University community (the “University Killam Professor Lecture”) on a subject of his or her choice, though preferably on a subject that transcends traditional disciplinary boundaries. The University Killam Professor Lectures will be recorded, published and made available to the University community and to the University’s external community.

4.3 The University Killam Professors shall form a committee (the “Committee of University Killam Professors”) that shall meet at least annually to consider and make recommendations to the Responsible Executive regarding matters of importance to the University including:

4.3.1 the role University Killam Professors should play within the scholarly fabric of the University community and in relation to the University’s external community;

4.3.2 the standards to be upheld by University Killam Professors; and

4.3.3 other issues directed to the attention of the University Killam Professors by the Responsible Executive.

5. **University Killam Professors Emeriti**

5.1 If a faculty member is a University Killam Professor at the time he or she retires, after retirement such individual will no longer be a University Killam Professor but will be entitled to refer to himself or herself as an “University Killam Professor Emeritus/a”, subject to Senate policies applicable to emeritus status.
EXPLANATORY NOTES REGARDING THE
KILLAM PROFESSORS POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Killam Professors Policy. These Explanatory Notes do not replace or supersede the content of the Killam Professors Policy and its Procedures.

Policy Long Title: University Killam Professors

Policy Short Title: Killam Professors Policy

Policy Number: LR6

Responsible Executive: President and Vice-Chancellor

Responsible Board Committee: Learning & Research Committee

Related Policies: GA2 - Regulatory Framework Policy

History:
- The Killam Professors Policy was first approved by the Board of Governors in March 1996;
- The Killam Professors Policy was revised in December 2012;
- The Killam Professors Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Killam Professors Policy, its long title is University Killam Professors, and its number is LR6. The previous identification number for this policy was #57.

Related Legislation: N/A
Background & Purposes:

The purpose of this Policy is to outline the principles, responsibilities and processes for the provision of Accommodation for Students with Disabilities.

The purpose of Accommodation is to create an accessible learning environment that enables all Students to meet the essential requirements of UBC's courses, programs and activities. UBC is committed to providing Accommodation to promote human rights, equity and diversity, and to comply with its duty under the British Columbia Human Rights Code to make its services and facilities available in a manner that does not discriminate. Students will be Accommodated in a way that respects their dignity, privacy and autonomy. Once Accommodated, Students are responsible for following Accommodation procedures in order to meet the essential requirements of their course, program or activity.

The Centre for Accessibility on the Vancouver campus and the Disability Resource Centre on the Okanagan campus are the offices that are designated to assist UBC in integrating Students with Disabilities into all aspects of University life and are responsible for assisting Students and their Instructors with Accommodation. Providing Accommodation to Students with Disabilities is a shared responsibility amongst all members of the UBC community.

UBC recognizes the benefits of the application of Universal Instructional Design principles to the built and learning environments at UBC. These principles are a comprehensive approach to classroom interaction and evaluation and include flexibility of delivery systems and evaluation methods

1. Scope

1.1 This Policy applies to Students with Disabilities engaged in a course, program or activity offered by UBC. Where a person is both a Student and employee of UBC, this Policy only applies to those activities that are associated with the person's status as a Student. Students should consult with their manager insofar as their request for Accommodation relates to their employment at UBC.

1.2 This Policy does not apply to Students who experience Temporary Health Issues. Students experiencing Temporary Health Issues should seek an academic concession following the
processes under the Senate Regulation on Academic Concession set out in UBC's Academic Calendars.

1.3 This Policy also applies to UBC staff and faculty with respect to their shared responsibility to Accommodate Students with a Disability.

2. Definitions

2.1 "Accommodation" or “Accommodate” refers to any modification that reduces or eliminates barriers to participation arising when Students with Disabilities interact with UBC's facilities or its teaching, learning and assessment methods and materials.

2.2 "Administrative Head of Unit" is any one of the following, as the context requires: Director of a service unit, Head of an academic department; Director of a centre, institute or school; Principal of a college; Dean; Associate Vice-President; University Librarian; Registrar; Vice-President; Deputy Vice-Chancellor & and Principal [UBC Okanagan] Campus; or President.

2.3 "Centre" means, in the case of UBC Vancouver Students, the Centre for Accessibility and in the case of UBC Okanagan Students, the Disability Resource Centre.

2.4 Person(s) with a "Disability" or "Disabilities" means persons who:

2.4.1 have a significant and persistent mobility, sensory, learning, or other physical or mental health impairment;

2.4.2 experience functional restrictions or limitations of their ability to perform the range of life’s activities; and

2.4.3 may experience attitudinal and/or environmental barriers that hamper their full and self-directed participation in University activities.

2.5 Reference to "Instructors" in this Policy shall mean, as the context requires, the instructor of record for the particular course or the Head for the particular program for which the Student is seeking Accommodation, and for graduate Students who are enrolled in a thesis or dissertation, the graduate Student's supervisor for these activities for which the Student is seeking Accommodation.

2.6 "Student" means a person who:

2.6.1 is registered in credit or non-credit courses offered by UBC; or

2.6.2 has formally applied to UBC as a prospective Student.

2.7 "Temporary Health Issues" are temporary medical impairments or injuries that are unrelated to a Disability and are likely to be substantially resolved in less than one term.
3. Responsibilities of UBC towards Students with Disabilities

3.1 UBC has a responsibility to:

3.1.1 provide an inclusive and welcoming environment for Students with Disabilities;

3.1.2 ensure that eligible Students are not denied admission on the basis of their Disability;

3.1.3 make its facilities, courses and programs accessible to Students with Disabilities;

3.1.4 provide reasonable Accommodation to Students with Disabilities to the point of undue hardship;

3.1.5 provide advice and guidance for Students with Disabilities about the Accommodation process;

3.1.6 provide information on its academic calendar and website regarding the Accommodation process; and

3.1.7 ensure that faculty and staff are provided relevant information about UBC's policies and procedures associated with providing Accommodation to Students with Disabilities and are familiar with broader accessibility issues.

3.2 UBC will carry out the responsibilities set out in section 3.1 in a manner consistent with the BC Human Rights Code and other applicable legislation.

3.3 The Centre is the office at UBC that is primarily responsible for carrying out the responsibilities set out in section 3.1. In particular, what this means for section 3.1.7 is that the Centre is responsible for including information on its web site that provides guidance to members of the UBC community about implementation of this Policy. Instructors and other UBC employees are responsible for assisting the Centre to carry out its mandate.

3.4 The Centre is responsible for determining Accommodations for Students with Disabilities. The Centre is also responsible for determining a Disability-related need for academic concessions for Students. If the Centre determines that a Student requires an academic concession for reasons related to a Disability, the Centre will notify the relevant faculty or school of such requirement. The faculty or school will then determine what academic concession is to be granted to the Student. For clarity, any appeal of such a decision for academic concession will be governed by the Senate Regulation on Academic Concession set out in the Academic Calendars.

3.5 Instructors and other UBC employees are responsible for implementing these Accommodations with the advice and support of the Centre. The Centre is responsible for implementing Accommodations that cannot reasonably be provided at a program level.
4. Responsibilities of Students with Disabilities

4.1 Students with a Disability seeking Accommodations for their Disability have a responsibility to:

4.1.1 contact the Centre about any requested Accommodation in a timely manner (as set out in the Procedures) to allow for arrangement of Accommodation;

4.1.2 provide the appropriate documentation of their Disability to the Centre;

4.1.3 notify the Centre of any changes to their Accommodation requirements;

4.1.4 comply with instructions and procedures for developing and implementing the Accommodation; and

4.1.5 at the beginning of each term or otherwise at the earliest available opportunity, provide the letter of Accommodation received from the Centre to the Instructors or unit from whom they are seeking Accommodation, and to other UBC employees, as appropriate.

4.2 Failure to comply with the above responsibilities may result in delays in providing the Accommodation or the appropriate Accommodation not being provided. While providing Accommodation enables Students with a Disability to have an alternative means of meeting essential requirements of the course, program or activity, fulfilling essential requirements remain the Students’ responsibility. Providing Accommodation shall not lower the academic standards of UBC, and shall not remove the need for evaluation or assessment and the need to meet essential requirements.
PROCEDURES ASSOCIATED WITH THE
DISABILITY ACCOMMODATION POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Disability Accommodation Policy.

1. Distinguishing Disabilities from Temporary Health Issues

1.1 The Centre's responsibility to provide Accommodation under this Policy applies only to Students with Disabilities, not Temporary Health Issues. Such issues involve a different process and are addressed under the Senate Regulation on Academic Concession set out in UBC's Academic Calendars. Under that process, the relevant faculty or school will determine the appropriate academic concession that should be made, if any.

1.2 Where there is uncertainty about whether a Student has a Temporary Health Issue or a Disability, Students, their Instructors or other relevant UBC employees should consult with the Centre. Such consultation is especially important where a Student's Temporary Health Issue has persisted for more than one term as the Centre will determine whether the issue has become a Disability.

2. Process for Creating Accommodation

2.1 Students requesting Accommodation are responsible to register with the Centre and to provide appropriate documentation as set out in section 4 of the Procedures. Students are encouraged to make contact with the Centre as soon as reasonably possible to ensure it has sufficient time to properly review Accommodation requests and to coordinate any necessary arrangements.

2.2 All requests for exam and other test Accommodations (e.g., extended time, alternative location, etc.) must be received by the Centre at least 7 calendar days prior to the scheduled date for mid-term examinations/tests and 7 calendar days prior to the start of formal examination periods. Students are advised to make such Accommodation requests to the Centre as soon as possible to avoid delays in service. Instructors are responsible to provide information relating to the examination or test to the Centre at least 2 business days prior to the scheduled date for such examination or test.

2.3 In consultation with the Student, the Centre will review the documentation provided by the Student seeking Accommodation, identify necessary academic adjustments, auxiliary aids, and/or services, and determine the Accommodations that are reasonable and appropriate. Accommodations will be made on an individual basis, taking an intersectional and holistic view of both the individual and the environment, based on factors such as the functional impact of the Disability and the Student’s field of study.
2.4 The Centre may determine the following types of Accommodations:

2.4.1 academic Accommodations (e.g. exam-related Accommodations, captioning and sign interpreting, note-taking, course materials in alternate formats, customized exam formats, adaptive equipment / assistive technology and relocation of classes); and

2.4.2 non-academic Accommodations (e.g. Accommodations for housing, parking or recreational activities).

2.5 The Centre will prepare a letter of Accommodation which details the specific Accommodation the Centre has determined, and explains how to implement that Accommodation.

2.6 At the beginning of each term or otherwise at the earliest available opportunity, Students are expected to provide the letter of Accommodation given to them by the Centre to each Instructor or unit from whom they are seeking Accommodation. The Instructor or unit is responsible for implementing the recommended Accommodation and providing all relevant information regarding the Accommodation to the members of the course or program teaching team. The Centre is responsible for coordinating the support services to be provided for the approved Accommodation where those services cannot reasonably be provided at the program level.

3. Limits to Accommodation: Undue Hardship and Essential Requirements

3.1 UBC's duty to Accommodate Students with Disabilities is limited to providing reasonable Accommodation without incurring undue hardship, as that term has been interpreted under BC law. What constitutes undue hardship varies based on, and must be considered in the context of, the circumstances of each individual case. However, undue hardship is likely to exist when an Accommodation could reasonably be expected to result in:

3.1.1 a substantial risk to health or safety to the Student or others;

3.1.2 failure of the Student to meet an essential requirement of a course, program or activity; or

3.1.3 financial or logistical challenges that would seriously compromise or undermine the viability of a course, program or activity.

3.2 For the purposes of this Policy, essential requirement(s) are the tasks or requirements of a course, program or activity that must be acquired or demonstrated in order for a Student to successfully meet the objectives of, and that cannot be altered without compromising the fundamental nature of, the course, program or activity. Identifying essential requirements is critical in determining appropriate Accommodations. The following factors determine whether or not a task or requirement of a course, program or activity is an essential requirement:

3.2.1 the task or requirement is rationally connected to the Student's ability to successfully complete the course, program or activity;
3.2.2 the task or requirement was included in good faith, in the belief that it was necessary for the fulfillment of the objectives of that course, program or activity; and

3.2.3 the task or requirement is reasonably necessary for the Student to successfully complete the course, program or activity.

3.3 Instructors or other UBC employees who have been notified of an Accommodation for a Student in their course, program or activity have a duty to make such Accommodations, subject to undue hardship. If the Instructor or other UBC employee believes that the Accommodations determined by the Centre will result in an essential requirement of their course, program or activity being unmet or will otherwise incur undue hardship, they must contact the Centre to discuss their concerns, and work cooperatively to determine whether undue hardship would arise if the Accommodation were implemented.

3.4 If the Instructor or other UBC employee cannot reach agreement with the Centre on the issue of whether the Accommodation will result in undue hardship, any of them may refer the matter to the following decision-maker or their delegate in the applicable faculty or administrative unit:

3.4.1 for academic Accommodations, the Registrar; and

3.4.2 for non-academic Accommodations, the Administrative Head of Unit.

The decision-maker referenced in section 3.4 will promptly consider the request in consultation with the Centre, the relevant Instructor or other UBC employee, and the Office of the University Counsel, as appropriate. For academic Accommodations, the decision-maker will also consult with the Dean.

3.5 The decision of this decision-maker as to whether an Accommodation would incur undue hardship is final, and the Centre will amend its Accommodation determination if required to comply with this decision. Pending this final decision, the Instructor or other UBC employee will be required to implement the Accommodation determination of the Centre.

4. Documentation

4.1 Students must ensure that documentation acceptable to the Centre is obtained from medical doctors, registered psychologists or other health professionals who are appropriately certified and/or licensed to practice their professions and have specific training, expertise, and experience in the diagnosis of the particular Disability for which Accommodation is being requested. The Centre will provide reasonable assistance to Students to obtain such documentation. UBC is not required to provide or assume the costs of diagnostic services.

4.2 Students should submit documentation outlining the nature of the Disability, along with a detailed explanation of the functional impact of the Disability. A diagnosis alone is not sufficient to support a request for an Accommodation.

4.3 Documentation must be current. For Students who have a stable condition, usually no more than 3 years must have elapsed between the time of the assessment and the date of the initial request for Accommodation.
4.4 All medical information obtained by the Centre will be treated as confidential. When releasing information about the nature of the Disability to Instructors or other relevant UBC employees, its likely impact in an academic setting and recommended Accommodations, the Centre’s actions will be governed by the BC Freedom of Information and Protection of Privacy Act. This information is disclosed to such persons on a "need-to-know" basis in order for them to perform their duties under the terms of this Policy.

4.5 When a Student’s functional abilities have shown significant change since the documentation was submitted (i.e. either an improvement or deterioration of status has taken place or is expected to take place) or when the Student’s Accommodation requests have changed significantly over the course of their studies, new or updated information may be requested by the Centre. UBC is not required to provide or assume the cost of diagnostic services.

4.6 In exceptional circumstances, at the sole discretion of the Centre, a Student may be provided Accommodation on a limited basis without documentation.

5. Student Appeals

5.1 Where a Student disagrees with an Accommodation decision, he or she should advise the Centre of the Student's concerns. The Accommodation decision will be reviewed by a Centre Accessibility Advisor, Manager or Director who was not involved in the original Accommodation decision. This individual will make a timely decision about whether to vary the Accommodation, and will provide the Student with reasons for such decision in writing, after:

5.1.1 conducting a review of all relevant documentation;

5.1.2 consulting with the appropriate Instructors, Administrative Heads of Unit, or other UBC employees as required; and

5.1.3 seeking advice from the Office of the University Counsel.

5.2 If the resolution process outlined in section 5.1 above is not resolved to the Student's satisfaction, the Student may appeal to the Responsible Executive for this Policy or their delegate, to review the Accommodation determination of the Centre. Such an appeal is to be made in writing, by submitting to the Responsible Executive or their delegate, a request for appeal setting out:

5.2.1 the Accommodation being requested by the Student;

5.2.2 the original Accommodation determination of the Centre;

5.2.3 the decision made pursuant to section 5.1 of these Procedures; and

5.2.4 all documents or other information relevant to review of the Accommodation determination of the Centre that the Student has received (including a copy of the letter of Accommodation detailing the specific Accommodation the Centre determined).
5.3 The Responsible Executive or their delegate will:

5.3.1 review the Accommodation being requested by the Student, the Accommodation determination of the Centre, the decision made pursuant to section 5.1 of these Procedures, and all other relevant documents or information that were provided with the request for appeal;

5.3.2 request information from the Centre and the relevant Instructor or other UBC employees, as appropriate;

5.3.3 consult with other professionals, such as medical professionals and external legal counsel, as appropriate; and

5.3.4 make a decision about whether to vary the Accommodation determination of the Centre within 10 calendar days of receipt of the written request for appeal. The Responsible Executive or their delegate will communicate their decision and reasons as to the appropriate Accommodation for the Student, in writing, to each of the Student, the Instructor or other unit from whom the Student is seeking accommodation, and the Centre.

5.4 The Centre will amend its Accommodation determination, if required, to comply with the decisions made pursuant to sections 5.1 or 5.3 of these Procedures. Pending such decisions, the relevant Instructor or other UBC employee will be required to implement the Accommodation determination of the Centre.

5.5 Where a Student wishes an Accommodation decision or any part thereof to be investigated on the grounds of discrimination, they must initiate such a complaint and follow the processes relating to matters of discrimination under the Discrimination Policy.

5.6 The Student may also have recourse to processes outside of UBC, such as filing a complaint with the BC Human Rights Tribunal.
EXPLANATORY NOTES REGARDING THE
DISABILITY ACCOMMODATION POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Disability Accommodation Policy. These Explanatory Notes do not replace or supersede the content of the Disability Accommodation Policy and its Procedures.

Policy Long Title: Accommodation for Students with Disabilities (Joint Senate and Board Policy)

Policy Short Title: Disability Accommodation Policy

Policy Number: LR7

Responsible Executive: Vice-President, Students

Responsible Board Committee: Learning & Research Committee

Related Policies: GA2 - Regulatory Framework Policy
SC7 - Discrimination Policy

History:
• The Disability Accommodation Policy was first approved by the Board of Governors in May 1999;
• The Disability Accommodation Policy was revised in January 2019;
• The Disability Accommodation Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Disability Accommodation Policy, its long title is Accommodation for Students with Disabilities (Joint Senate and Board Policy), and its number is LR7. The previous identification number for this policy was #73.

BC Freedom of Information and Protection of Privacy Act
Background & Purposes:

To establish guidelines for the University concerning equity transactions related to University technology companies, management of the equity in those companies and to ensure a fair distribution of the proceeds from liquidated equity holdings to benefit the University as a whole.

1. General

1.1 Transfer by the University of its rights in an invention(s) to investor(s) by way of a licence agreement may include the provision for the University to receive an equity position in a technology company.

1.2 A decision to take an equity position requires prior consultation with the inventors to enable understanding of the nature of the equity transaction and ensuring the opportunity to obtain independent legal and tax advice. Each inventor is required to provide the University-Industry Liaison Office (“UILO”) with a full disclosure of his/her relationship with the company in which equity forms all or a part of any financial arrangement with the University.

1.3 The UILO is responsible for the negotiation of technology equity transactions.

1.4 The Technology Equity Management Committee is responsible for the management of the University’s equity in technology companies governed by this policy.
Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Technology Equity Policy.

1. Inventor Consultation and Disclosure

1.1 Prior consultation with the inventors is required to ensure that they understand the nature of the equity transaction. In addition the following is required:

1.1.1 Each inventor is required to provide the UILO with a full disclosure of his/her relationship with the company. This includes equity held in the company, positions held on company boards, as an officer or employee of the company, or any private consulting arrangements with the company;

1.1.2 Confirmation that they have been advised to seek independent legal and tax advice in relation to the equity transaction. The cost of any independent legal or tax advice will be borne by the inventor.

1.2 Where inventors choose to be directly compensated by the company, they will be required to waive their rights to share in equity or royalties received by the University. In such cases, the University will pro-rate the level of compensation required under the licence agreement to net out the inventor’s share.

2. Structuring Equity Transactions

2.1 The University’s equity position shall be in consideration of the intellectual property assigned or licensed to the company. In any arrangement full consideration shall be given

2.1.1 to securing anti-dilution provisions through the achievement of milestones related to a pre-determined level of investment, cumulative sales revenue, or initial public offering (“IPO”) with dilution of the University’s equity position being linked to acquisition of additional capital;

2.1.2 the exercise by the University of its right to invest in follow-on rounds of financing;

2.1.3 price protection or anti-dilutive provisions to guard against dilution that may occur through a subsequent financing at reduced share prices;
2.1.4 to obtaining piggy-back registration rights to enable the future sale of the equity.

2.1.5 University representation on the Board of Directors through a seat on the board, observer status at board meetings, or full copies of all material distributed to the board and minutes of board meetings. In cases where the University has a board seat, the University shall provide a written request to the University’s nominee thereby invoking the University insurer’s coverage for that individual. Any fees, options, or shares received as compensation for attending board meetings shall be deemed compensation to the University.

3. Distribution of Equity

3.1 Equity shall be distributed as soon as possible to co-licensors (i.e. affiliated hospitals) and inventors subject to:

3.1.1 Any pooling, hold or escrow restrictions;

3.1.2 Securities regulations; and

3.1.3 Holdbacks for covering the direct costs of the transaction.

3.2 Following the distribution of equity, it shall be the sole responsibility of the inventor(s) to manage the inventor(s)’ shares and to comply with any tax, legal or contractual obligations associated with the distribution, ownership or disposition of the inventor(s)’ shares.

3.3 Share certificates shall be forwarded to UBC Treasury at the earliest opportunity for recording, distribution, management and safekeeping.

4. Distribution of Net Revenue

4.1 In respect of each technology covered by this policy

4.1.1 Net Revenue earned by the University from its share of equity after the foregoing distribution will be distributed as follows:

(a) 25% to the Inventor’s faculty

(b) 75% to University General Revenue

5. Due Diligence Consideration by the Board of Governors

5.1 Any transaction under this policy that requires Board approval shall be accompanied by a certificate from an independent third party nominated by the UILO indicating that the value of the consideration received by the University is commensurate with the value of the rights granted by the University. In respect of all other transactions, an annual summary will be given to Board disclosing the technology company, the equity held, and the technology given as consideration.
6. Taxation Considerations

6.1 As legally required by Revenue Canada, the University will file an information return in the form of a T4 with respect to the value of shares transferred to researchers who are employees or former employees. Payment to employees or former employees or non-resident shall be contingent on

6.1.1 the withholding of amounts in respect of income tax, Canada Pension Plan contributions and Employment Insurance contributions as may be required;

6.1.2 employees and former employees will only be required to include the value of shares in income in the year that they are received from the University;

6.1.3 the value of the shares should be determined as of the date that the shares are transferred to the employee or former employee;

6.1.4 if the researchers are students with no employment relation to the University, then the University will be responsible to issue a T4A slip to the student;

6.1.5 if the value of the equity is uncertain it is the responsibility of the University to have the equity valued by a qualified valuator using accepted valuation techniques. In situations where the equity is privately held and has an established fair market value, the researchers may be placed in a situation where taxes are payable on the value of the equity, yet there exists no market for the equity. Inventors should consider detailed tax planning to minimize the tax consequences of these transactions;

6.1.6 other lawful requirements of Revenue Canada

7. Relationship Management

7.1 Acting for the University as shareholder in and of university licensed technology company under this policy, UILO shall

7.1.1 exercise all voting shares and exercising other shareholder rights such as attending the company annual general meeting, waivers of pre-emptive rights, etc. shall be the responsibility of the UILO;

7.1.2 monitor company performance and adherence to the terms of the licensing provisions;

7.2 However, UILO’s authority is limited to standard transactions. Issues of a precedent setting nature or that exceed $500,000 in value shall be managed in accordance with UBC signing resolution #8 - Research.

7.3 If a member of the University community is requested by the University to serve as a member of the Board of Directors of the company, then any options or shares that that individual receives as compensation for his/her services on the Board shall be transferred to the University.
8. Conflict of Interest

8.1 The Board’s COI Policy applies. The University’s decision to take equity in a company creates the potential for conflicts of interest for both the University and the researchers.

8.2 Where in the subsequent licensing of other University technology to the company in which the University is already a shareholder, the University must carefully consider whether it is receiving fair consideration for the second technology and whether the transaction is being affected by the fact that it is already a shareholder in the licensee company.

8.3 Where a researcher has a substantive role in the operation of the company (as a founder, officer, director, shareholder, or consultant), the University needs to ensure that it has received full disclosure of the researcher’s interests in the company. It must also ensure that there is a mechanism to manage ongoing disclosure of new technologies and improvements to existing technologies.

9. Insider Trading

9.1 Insiders are those who are in “a special relationship with a reporting issuer” and includes all persons who may receive or have access to confidential information. “Insiders” of a company are:

9.1.1 directors, officers and employees of the company, its parent company and/or its subsidiaries;

9.1.2 persons who are outsiders of the company including “persons that are engaged in or proposing to engage in any business or professional activity with or on behalf of the company”;

9.1.3 employees of the University who are engaged in or who proposed to engage in research and development of the technology licensed to a reporting issuer would be an insider of the reporting issuer.

9.2 Insider status continues even after the business relationship between the employee and the reporting issuer has been terminated if the inside information existed prior to termination of the business relationship.

10. UBC Staff as Shareholders

10.1 The Vice-President, Research and Innovation shall develop guidelines, to be approved by the Board, that will apply to investments by UBC staff members in licensees of University technology.

11. Definitions
11.1 *Equity* includes shares of stock, and also other forms of securities such as warrants, options, share appreciation rights, and interests in limited partnerships, private or publicly traded companies.

11.2 *Net Revenue* is calculated as:

11.2.1 gross revenue from liquidated equity and dividends

(a) Less uncovered direct costs of patenting, prototype development, and licensing legal fees

(b) Less 15% of the balance remaining after deduction (1) to be used in support of UILO operations

(c) Less any distributions to co-licensors (which are generally calculated as a percentage of the balance remaining after deduction (1)).
The OUC has prepared these Explanatory Notes to provide context and background regarding the Technology Equity Policy. These Explanatory Notes do not replace or supersede the content of the Technology Equity Policy and its Procedures.

Policy Long Title: Acceptance, Management and Sale of Technology Licensing Equity

Policy Short Title: Technology Equity Policy

Policy Number: LR8

Responsible Executive: Vice-President, Finance and Operations
Vice-President, Research and Innovation

Responsible Board Committee: Learning & Research Committee

Related Policies: GA2 - Regulatory Framework Policy
SC3 - COI Policy

History: • The Technology Equity Policy was first approved by the Board of Governors in November 2000;
• The Technology Equity Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Technology Equity Policy, its long title is Acceptance, Management and Sale of Technology Licensing Equity, and its number is LR8. The previous identification number for this policy was #105.

Related Legislation: N/A
1. General

1.1 No Eligible Student (as defined by the Financial Aid Policy) will be prevented from commencing or continuing his or her studies at the University for financial reasons alone. Eligible Students and their families have the primary responsibility for bearing the individual cost of higher education. If an Eligible Student and his or her family exhaust the financial resources available to them, the University will ensure that financial support will be made available to them.

1.2 Flexibility will be encouraged with regard to the appropriate mix and the appropriate mode of administration and delivery of financial support for Eligible Students. Financial support may take any form, including but not limited to bursaries, University loan programs, and commercial loan programs. Student participation in the design and delivery of programs of financial support will be encouraged. Unless otherwise indicated, financial need will be the primary requirement for financial support.

1.3 The financial support programs of the University will be designed to provide access to the financial resources necessary to meet the needs of Eligible Students as assessed by the Common Assessment Mechanism.

1.4 In making the case for public policies strongly supportive of an accessible public system of university education, the University will continue to advocate well-designed programs and adequately funded governmental financial support for students.

1.5 The Responsible Executive will issue an annual report on student financial support to the Senate Committees on Awards, the Senates and the Board of Governors.

2. Scope

2.1 International Students are not covered by this Policy. The federal government requires International Students to demonstrate that they have sufficient resources to meet their financial needs in order to qualify for a Study Permit. However, nothing in this policy is intended to affect existing practices with respect to International Students and, in an
emergency or other exceptional circumstances, the Responsible Executive may authorize financial assistance to International Students.

2.2 Where a Student is not an Eligible Student and requests access to student financial support, the case will be assessed by Student Financial Assistance and Awards, subject to final approval by the Responsible Executive, to determine the level of support that is appropriate and feasible for the University to provide.

3. Definitions

3.1 Common Assessment Mechanism
The Common Assessment Mechanism is based on the BCSAP (British Columbia Student Assistance Program) assessment mechanism and it is the tool used by the University to determine the financial need of Eligible Domestic Students.

3.2 Designated Graduate Program
A Designated Graduate Program is a program that leads to a graduate degree and that is designated by the Vice-President Academic and Provost and Vice-President, Academic (UBC Vancouver). A current list of such Designated Graduate Programs is available online at http://vpacademic.ubc.ca/program‐approval‐process/graduate‐programs‐designated‐under‐board‐of‐governors‐policy‐72/.

3.3 Differentiated Undergraduate Program
A Differentiated Undergraduate Program is a program that leads to an undergraduate degree and in which the number of students is significant and in which the tuition amount is significantly greater than the standard undergraduate per credit fee multiplied by the standard undergraduate full-time load. The Responsible Executive, in consultation with the Provost and Vice-President, Academic (UBC Vancouver), will establish specific criteria for Differentiated Undergraduate Programs.

3.4 Eligible
An Eligible Student is a Student who:

3.4.1 is a Canadian citizen or Permanent Resident (Landed Immigrant);

3.4.2 is enrolled in a full-time program of study, which means:

(a) Undergraduate Students without a Permanent Disability must be enrolled in 60% or more of a full course load for the program in which they are registered,

(b) Undergraduate Students with a Permanent Disability must be enrolled in 40% or more of a full course load for the program in which they are registered, or

(c) Graduate Students must be paying full-time tuition fees;

3.4.3 has applied to BCSAP, or the equivalent program in their Province or Territory of residence if they are an Out-of-Province Student, for the current academic year;
3.4.4 is not ineligible for government support or commercial lending for reasons such as a disqualifying credit history or having defaulted on their past commitments to BCSAP; and

3.4.5 has an assessed financial need for the current academic year according to the Common Assessment Mechanism.

3.5 Graduate Student

A Graduate Student is any person who is registered at, or has applied for and received an offer of admission to, the University of British Columbia in a program that leads to a graduate degree.

3.6 Institutionally Facilitated Loan

An Institutionally Facilitated Loan is a loan made available to a Student by a third-party lender through a program arranged or otherwise facilitated by the University.

3.7 International Student

An International Student is a Student who is neither a Canadian citizen nor a Permanent Resident (Landed Immigrant).

3.8 Out-of-Province Student

An Out-of-Province Student is a Student other than an International Student who does not meet the BCSAP residence requirements but does meet the requirements for the equivalent program in their province or territory of residence.

3.9 Permanent Disability

A Student with a Permanent Disability:

3.9.1 has a functional limitation caused by a physical or mental impairment that restricts the ability of the Student to perform the daily activities necessary to participate in studies at a post-secondary level;

3.9.2 this disability is expected to remain with the Student for the person’s expected natural life; and

3.9.3 this disability is recognized as a Permanent Disability by BCSAP.

3.10 Student

A Student is any person who is:

3.10.1 a Graduate Student; or
3.10.2 an Undergraduate Student.

3.11 *Undergraduate Student*

An Undergraduate Student is a person who is registered at, or has applied for and received an offer of admission to, the University of British Columbia in a program that leads to an undergraduate degree.
PROCEDURES ASSOCIATED WITH THE
FINANCIAL AID POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Financial Aid Policy.

1. Categories of Students

1.1 Eligible Undergraduate Students

1.1.1 Eligible Undergraduate Students are expected to rely on BCSAP assistance up to the maximum BCSAP loan available to them. Assessed need under the Common Assessment Mechanism that cannot be met by BCSAP should be met through bursaries, and then supplemented by loans, including Institutionally Facilitated Loans, the UBC Work-Study Program, and other forms of employment-based learning.

1.1.2 Bursary awards for students in a Differentiated Undergraduate Program will be made from the tuition set aside for student financial assistance in that Differentiated Undergraduate Program, together with any endowment income or donated monies designated for the purposes of student financial assistance in that Differentiated Undergraduate Program.

1.1.3 For undergraduate programs other than Differentiated Undergraduate Programs, the tuition set aside for student financial assistance in those programs, together with any endowment income or donated monies designated for student financial assistance generally, will be pooled and bursary awards for students in those programs will be made from this pool.

1.2 Eligible Graduate Students

1.2.1 Eligible Graduate Students in Designated Graduate Programs are expected to rely on BCSAP assistance up to the maximum BCSAP loan available to them. Assessed need under the Common Assessment Mechanism that cannot be met by BCSAP will primarily be met by loans, including Institutionally Facilitated Loans and commercial loans. However, for Eligible Graduate Students in Designated Graduate Programs for professional fields that do not normally provide professional compensation commensurate with the costs of education financial support will take the form of a mix of bursaries, loans, including Institutionally Facilitated Loans and commercial loans, and employment-based learning. The appropriate mix will vary across Designated Graduate Programs.
1.2.2 Eligible Graduate Students other than those in Designated Graduate Programs are expected to rely on BCSAP assistance up to the maximum BCSAP loan available to them. Insofar as possible, assessed need under the Common Assessment Mechanism that cannot be met by BCSAP will be met through bursaries, supplemented by teaching and research assistantships as appropriate. Loans, including Institutionally Facilitated Loans, the UBC Loan Program, and commercial loans, should be considered a last resort.

2. Institutionally Facilitated Loans

2.1 The University will undertake discussions with third-party lenders to expand the opportunities for Eligible Students to access credit facilities to support the costs of attending the University. The University will endeavour to make such Institutionally Facilitated Loans broadly available to Eligible Students on favourable terms as to interest, repayment schedules, and loan forgiveness.

3. Work Study Programs

3.1 The UBC Work Study Program will be funded by an allocation from the tuition fees paid by all students at the University.

4. Students With Special Financial Needs

4.1 The Responsible Executive may authorize exceptions in cases in which the Common Assessment Mechanism does not reflect the true need of an Eligible Student or does not address the institutional, diversity or equity priorities of the University. Where the Responsible Executive is of the view that emergency financial assistance is appropriate, the Responsible Executive may authorize such emergency financial assistant to be drawn from the UBC Emergency Financial Assistance Fund, which will be funded by an allocation from the tuition fees paid by all students at the University.

5. Financial Counseling

5.1 The Office of Student Financial Assistance, in collaboration with the various academic units of the University, will make financial counseling available to Eligible Students.

6. Reporting

6.1 The Responsible Executive will issue an annual report on student financial support that will include the following:

6.1.1 levels of assessed financial need for Students who apply for bursaries, broken down by academic program and category of Student (Undergraduate Student, Graduate Student, Full-Time Student, Part-Time Student, and Out-of-Province Student) as determined by the Common Assessment Mechanism;
6.1.2 levels of financial assistance provided to Students broken down by academic program, category of Student, category of assistance (grants, university interest-subsidized loans, interest-subsidized loans, institutionally negotiated commercial loans, work-study, research assistantships, or teaching assistantships), and by the source of assistance (external or University);

6.1.3 the average value of the packages of support provided to Students broken down by category of assistance;

6.1.4 the full annual value of the packages of support provided to Graduate Students other than those in Designated Graduate Programs broken down by academic program, category of assistance, and the source of assistance.
EXPLANATORY NOTES REGARDING THE FINANCIAL AID POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Financial Aid Policy. These Explanatory Notes do not replace or supersede the content of the Financial Aid Policy and its Procedures.

Policy Long Title: Access to the University of British Columbia

Policy Short Title: Financial Aid Policy

Policy Number: LR10

Responsible Executive: Vice-President, Students

Responsible Board Committee: People, Community & International Committee

Related Policies: GA2 - Regulatory Framework Policy

History:
- The Financial Aid Policy was first approved by the Board of Governors in July 2004;
- The Financial Aid Policy was revised in June 2005;
- The Financial Aid Policy was updated in July 2019 to reflect a new identification system; it is currently identified as the Financial Aid Policy, its long title is Access to the University of British Columbia, and its number is LR10. The previous identification number for this policy was #72.

Related Legislation: N/A
The University of British Columbia
Board of Governors

Policy No.:
LR11

Long Title: Investigations and Discoveries

Short Title: Inventions Policy

Background & Purposes:

The University is a community of scholars whose essential functions are the pursuit and dissemination of knowledge and understanding through research and teaching. Within that context, this Policy aims to:

(i) promote the dissemination of knowledge and maximize the University’s impact on society;

(ii) facilitate the non-commercial use of inventions arising from University Research;

(iii) establish the University as a hub of knowledge transfer and networking between researchers, industry and customers;

(iv) maximize the University’s impact on economic development and GDP growth; and

(v) build constructive relationships with industry and entrepreneurs and cement the University’s role as a leader in the Mobilization (as defined in Section 6.3 of the Procedures to this Policy) of research.

In the Mobilization of discoveries, the University’s primary objective is to maximize the impact on society, whether through commercial or non-commercial means. Earning revenue from a discovery is not a significant factor for the University.

At the same time, the University recognizes that faculty members, students, staff members and other University Persons regularly participate in an array of projects and pursuits capable of producing inventions and discoveries. The University believes that certain categories of intellectual products should be distinguished from the inventions and discoveries arising from University Research.

Accordingly, this Policy distinguishes University Research Products from other categories of intellectual products in order to define and clarify the treatment of inventions and discoveries, including University Research Products, which arise from the activities of University Persons or the University and to facilitate the public use and Mobilization of University Research Products while simultaneously enabling the mobilization of other discoveries.
1. General

1.1 In accordance with the University's desire to foster research for the betterment of society, University Persons are encouraged to discuss and Publicly Disclose the results of their research, including University Research Products, as soon and as fully as may be reasonable and possible, provided that doing so will not violate any agreements that supported or are related to their research (University Persons are reminded that Publicly Disclosing the details of an invention or discovery may make it impossible to seek patent protection for such invention or discovery).

1.2 As used in this Policy and the related Procedures “Publicly Disclose” or "Public Disclosure" means disclosing to one or more other persons by any means, including through public presentation or publication in scholarly journals, theses or other academic publications, except on a confidential basis.

1.3 As used throughout this Policy “Invention” means any invention or discovery (whether or not patentable); software; and data, information, research tools, biological material and know-how which is proprietary in nature.

2. Student Academic Product

2.1 “Student Academic Product” means any Invention that is created, developed, discovered, conceived or invented in the course of or as part of a student's coursework (student includes any person enrolled in a course, whether credit or non-credit) provided that such coursework:

2.1.1 is not a graduate student’s thesis related coursework;

2.1.2 does not involve activities for which such student is paid by the University;

2.1.3 does not involve research that is the subject of an agreement (including a Sponsored Research Agreement) with a third party; and

2.1.4 does not involve research where the Principal Investigator has made it a condition of participation that any Invention arising from such research shall be governed by this Policy as a University Research Product.

2.2 As the University wishes Student Academic Product to remain with its creators, the ownership and mobilization of Student Academic Product will be determined in accordance with applicable law and shall not be impacted by this Policy.

3. Non-University Activity Product

3.1 “External Activity Product” means any Invention, other than Work Product, that is created by University Persons but that is not created, developed, discovered, conceived or invented in the course of University Research.
3.2 As the University wishes External Activity Product to remain with its creators, the ownership and mobilization of External Activity Product will be determined in accordance with applicable law and shall not be impacted by this Policy.

4. **Sponsored Research Product**

4.1 In order to facilitate collaborative research, the University maintains a number of affiliation and research agreements with certain hospitals, governments, non-profit organizations, and industry partners under which University Research is conducted. In addition, to further foster research and dissemination of discoveries for the betterment of society, the University may, in consultation with the relevant Principal Investigator, enter into agreements (each a "**Sponsored Research Agreement**") with third parties from time to time with respect to University Research and the intellectual products arising from such University Research, which agreements may grant such third parties rights in such intellectual products.

4.2 "**Sponsored Research Product**" means any Invention that is created, developed, discovered, conceived or invented in the course of University Research that is the subject of a Sponsored Research Agreement.

4.3 Any agreements with third parties, including Sponsored Research Agreements, must be executed by the authorized signatories of the University in accordance with the signing resolutions approved by the Board of Governors. Since University Research involves the use of University facilities, equipment, or financial aid, or is conducted while acting within the scope of one’s duties to the University, individual University Persons are not authorized to execute such agreements.

5. **University Research Product**

5.1 "**University Research**" means any research conducted by a University Person: (i) involving or utilizing the facilities, equipment or financial aid (including any grant funding) provided or administered by the University; or (ii) while acting within the scope of such University Person’s duties or employment.

5.2 "**University Research Product**" means any Invention, other than Student Academic Product or Work Product, that is created, developed, discovered, conceived or invented in the course of University Research. For clarity University Research Product does not include teaching materials, lecture notes, textbooks, music, films, plays, and other dramatic works or writings that are scholarly in nature, developed or written by University Persons.

5.3 In furtherance of the University’s desire to maximize the Mobilization of University Research Products, in addition to the ability to Publicly Disclose as described in Section 1.1 of this Policy, all University Inventors are granted a non-exclusive licence to undertake Non-Commercial Mobilization of any University Research Product that the University Inventor has created, developed, discovered or invented, unless:

5.3.1 the University Research Product is subject to a Sponsored Research Agreement or other form of agreement under which the University has agreed to convey a license,
an option, or any other interest in the University Research Product to the other contracting party(ies);

5.3.2 a University Inventor has disclosed the University Research Product to the University because the University Inventor wishes the University to undertake the Mobilization of such University Research Product or because of any other reason contemplated by the Procedures; or

5.3.3 the University Inventor is required to disclose the University Research Product to the University in accordance with the Procedures either because the University Inventor wishes the University to consider the Mobilization of such University Research Product or because the University Research Product is subject to a Sponsored Research Agreement or other form of agreement under which the University has agreed to convey a license, an option, or any other interest in the University Research Product to the other contracting party(ies).

5.4 Recognizing the University's mandate to facilitate teaching and research and to undertake the Mobilization of University Research Products for the greater good of society, the University, through its University - Industry Liaison Office, will, within the time frames specified in the Procedures:

5.4.1 review and consider University Research Products disclosed in accordance with the Procedures;

5.4.2 assess the Mobilization potential of the disclosed University Research Products; and

5.4.3 where appropriate, but always in consultation with University Inventors:

(a) engage third parties to carry-out or assist with such Mobilization; and

(b) negotiate any business terms and other contractual arrangements with such third parties.

5.5 As University Research, by definition, involves the utilization of University facilities, equipment, or financial aid, or is conducted while acting within the scope of one’s duties to the University, University Research Products are owned by the University. This consolidation of ownership with the University facilitates the Mobilization of University Research Products in a coordinated and efficient manner. Where documentation, including assignments, is required by law to vest ownership with the University, the University Inventors will execute such documents as are necessary to give effect to this Policy.

5.6 In the event the University undertakes Commercial Mobilization of a University Research Product, the University will be responsible for all costs that it incurs. The University will share any Net Revenue with University Inventors, subject to and in accordance with the Procedures. Furthermore, from its share the University will direct a portion of Net Revenue to the relevant Faculty in accordance with the Procedures.
5.7 Where the University concludes that it will not participate in, or continue with the Mobilization of a disclosed University Research Product, assignment of such University Research Product to the University Inventors will be addressed in accordance with the Procedures to this Policy.

6. Work Product

6.1 "Work Product" means any intellectual product (including all forms of intellectual property through which such intellectual product may be protected, including patents, copyrights, industrial designs, integrated circuit topographies, trade-marks, trade secrets and know-how) created in the course of a University Person’s employment with the University if such University Person is required by the University to create the intellectual product. Examples of Work Product include web sites created for the University by its web site designers, marketing materials created for the University by its communications staff, software created for the University by its programming staff, and administrative materials such as manuals and procedures created for the University by Department Heads and Deans. For the purposes of this Policy, Work Product does not include teaching materials, lecture notes, textbooks, music, films, plays, and other dramatic works or writings that are scholarly in nature, developed or written by University Persons in the course of their regular University employment.

6.2 The ownership of Work Product is vested with the University. Where documentation, including assignments, is required by law to vest ownership with the University, the University Person will execute such documents as are necessary to give effect to this Policy.

6.3 All Work Product must be the original creation of University Persons. Unless specific permission has been secured in accordance with Section 6.5 of this Policy, University Persons must not incorporate any third party intellectual property, including any open source software or other material, in any Work Product.

6.4 As Work Product, by definition, is not a University Research Product, a University Person may not discuss or Publicly Disclose any Work Product without the University’s prior written approval. However, to aid in the advancement and dissemination of knowledge, the University may allow a University Person to undertake, through a new or an existing open source license, the Non-Commercial Mobilization of a particular Work Product.

6.5 If a University Person wishes the University to consider either: (i) the Non-Commercial Mobilization of a particular Work Product (e.g. through a new or an existing open source license such as Creative Commons, The GNU General Public License, etc.); or (ii) the incorporation of third party intellectual property into a particular Work Product (e.g. by utilizing open source software), such University Person must seek approval from the Administrative Head of Unit under whose management responsibility the Work Product was or will be created.
PROCEDURES ASSOCIATED WITH THE INVENTIONS POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Inventions Policy.

1. Administration

1.1 The responsibility for the administration of this Policy and these Procedures lies with the University – Industry Liaison Office. In cases where one or more University Inventors dispute a determination that has been made by the University – Industry Liaison Office pursuant to this Policy, the University Inventor(s) may, within 60 days after the date the disputed determination was made, refer the dispute to the Managing Director of the University – Industry Liaison Office and the Dean of the relevant Faculty, to facilitate a resolution to the dispute. In the event the matter cannot be resolved to the satisfaction of the parties within 60 days after the date of referral, the matter will be referred to the Vice-Vice-President, Research & International and Innovation, to facilitate a resolution or, if necessary, make a final determination. The Vice-Vice-President, Research & International and Innovation may convene an expert panel to assist and advise him or her in relation to the dispute and the making of any determination.

2. Disclosure and Assessment of University and Sponsored Research Products

2.1 Publicly Disclosing University Research Products may make it impossible to seek patent protection for such University Research Products. Accordingly, University Inventors are encouraged to disclose University Research Products to the University in accordance with these Procedures prior to Publicly Disclosing such University Research Products. University Inventors must assist the University in ensuring that all descriptions of University Research Products that are disclosed, including any patent filings, are complete and accurate, and must assist the University, as reasonably required, with the Mobilization of such disclosed University Research Products including by cooperating in obtaining patent or other protection for such University Research Product and in legal actions taken to protect such University Research Products.

2.2 A University Inventor must disclose a University Research Product to the University when the University Inventor wishes the University to consider the Mobilization of the University Research Product. A University Inventor must similarly comply with any disclosure mandated by a Sponsored Research Agreement.
2.3 Any University Inventor who discloses a University Research Product or a Sponsored Research Product to the University must:

2.3.1 fully disclose the identity of all University Inventors in connection with such University Research Product or Sponsored Research Product, their relative contribution to the University Research Product or Sponsored Research Product, and any sources of funding for the University Research that resulted in the University Research Product or Sponsored Research Product, as the case may be;

2.3.2 fully disclose, to the University – Industry Liaison Office, the existence or the promise of any potentially conflicting interest (including equity, options, consulting fees, management position etc.) that such University Inventor may have in any licensee or Inventor Start-up (as defined in Section 4.1 of these Procedures); and

2.3.3 sign, at the University’s request, any documents, including assignments and waivers, that are necessary to confirm or give effect to the University's ownership of such University Research Product or Sponsored Research Product.

2.4 All disclosures to the University – Industry Liaison Office must be submitted and kept up to date in a timely manner using the disclosure forms prescribed by the University – Industry Liaison Office.

2.5 The University – Industry Liaison Office will make a determination about the appropriateness of undertaking the Mobilization of any University Research Product within 90 days of receiving a complete written disclosure of such University Research Product in accordance with these Procedures.

3. Mobilization of University Research Products

3.1 If the University determines that it is appropriate to undertake the Mobilization of a University Research Product that has been disclosed to the University under Section 2 of these Procedures, the University will consult with the primary University Inventors on the proposed Mobilization of the University Research Product.

3.2 The University is committed to working with the University Inventors to create an appropriate plan for the Mobilization of University Research Products. The University is also committed to aiding in the Mobilization of discoveries which may be of benefit to society. While the University maintains the discretion to make decisions regarding the Mobilization of University Research Products that have been disclosed to the University under Section 2 of these Procedures, provided the stated aims of this Policy are not frustrated by lack of consensus, the University prefers not to exercise such discretion.

3.3 After consulting with the University Inventors as contemplated in Sections 3.1 and 3.2, the University may, with or without expectation of realizing any positive Net Revenue:

3.3.1 enter into agreements with third parties that grant such third parties the right to undertake Mobilization of University Research Products, including agreements for the
sale, Public Disclosure, assignment or license of University Research Products or the
grant of an option to obtain certain rights regarding University Research Products;

3.3.2 contract with third parties, to assist in the Mobilization of University Research
Products, such as patent agents, lawyers, accountants and other professionals and
consultants;

3.3.3 establish a corporation, society or other legal entity for the purpose of the
Mobilization of University Research Products;

3.3.4 assign or license to any third party, on terms deemed reasonable to the University
but always for the purpose of Mobilization, the University's rights in University
Research Products; and

3.3.5 utilize alternative channels, such as Global Access Principles, open source licensing
and science commons, to provide access to University Research Products for the
benefit of society.

3.4 A University Inventor may request, from time to time, but not more frequently than once per
fiscal year, a report on the Mobilization of University Research Products disclosed to the
University by the University Inventor and upon such request the University will use reasonable
efforts to respond to such request in a timely manner.

3.5 If a University Inventor discloses a University Research Product to the University in accordance
with these Procedures and the University concludes that it will not proceed or continue with
the Mobilization of such disclosed University Research Product, the University Inventor may
request that the University assign such University Research Product to one or more University
Inventors. Upon receipt of any such request, the University will assign such University
Research Product to one or more of its University Inventors (subject to any existing third party
rights in the University Research Product), provided that:

3.5.1 the University Inventor(s) have met their obligations under these Procedures to assist
the University with the Mobilization of the disclosed University Research Product;

3.5.2 all of the University Inventors have given their consent to such assignment; and

3.5.3 the assignee(s) execute an agreement which, in the sole determination of the
University, makes adequate provision for the University:

(a) to practice the University Research Product for research, clinical, educational or
other non-commercial purposes;

(b) to be protected and indemnified from any risks associated with the use or
Mobilization of the University Research Product by such assignee; and

(c) to address any other matters determined to be prudent in the circumstances.
4. Inventor Start-ups

4.1 The Mobilization of University Research Products may be undertaken by entering agreements with pre-funding or early stage ventures either founded by, having a close relationship with, or in which a financial interest is taken or will be taken by one or more University Inventors (collectively “Inventor Start-ups”).

4.2 The University is supportive of efforts by University Inventors to participate in the Mobilization of University Research Products through Inventor Start-ups. However, such Inventor Start-ups may also create a conflict of commitment, an actual or potential conflict of interest, or a situation which creates a perception of a conflict of interest (collectively “Conflicts”).

4.3 The University is committed to identifying and appropriately managing any such Conflicts while simultaneously supporting the appropriate entrepreneurial participation and external engagement of University Inventors. Accordingly, with respect to any negotiations or dealings with an Inventor Start-up:

4.3.1 in recognition of their role with the University, the University will not negotiate directly with any University Inventor(s) associated with the Inventor Start-up except in exceptional circumstances; and

4.3.2 in addition to any disclosure required of the relevant University Inventors, the University may require that any University Inventor provide assurances, to the University’s satisfaction, with respect to any compensation received or to be received by a University Inventor, as further contemplated in Section 5.7 of these Procedures.

5. Distribution of Net Revenue

5.1 In order to create an incentive and to reward University Inventors, provided:

5.1.1 a University Inventor discloses a University Research Product to the University in accordance with these Procedures;

5.1.2 the University decides to undertake the Mobilization of such disclosed University Research Product, or any part thereof; and

5.1.3 the University Inventor assists the University with such Mobilization, as further set out in these Procedures, the University will, unless otherwise provided for in these Procedures, distribute any Net Revenue received by the University from the Mobilization of the University Research Product as follows:

(a) 50% of the Net Revenue will, subject to Sections 5.6 and 5.7 of these Procedures, be allocated among the University Inventors of the University Research Product in proportion to their relative contributions to the University Research Product which generated the Net Revenue, in accordance with Section 5.4 of these Procedures; and
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5.2 If the University receives, as a result of the Mobilization of the University Research Product, payment in the form of shares or other securities, the distribution percentages set out in Section 5.1 of these Procedures will be used in determining the allocation of such shares or other securities between the University and the University Inventors, after adequate provision for those expenses contemplated in Net Revenue.

5.3 The portion of Net Revenue allocated to the University Inventors under Section 5.1.3(a) of these Procedures will be due and payable to the University Inventors:

5.3.1 in the case of payments equal to or greater than $5,000, within 60 days after the end of the fiscal quarter in which the payments were received; and

5.3.2 in the case of payments less than $5,000, within 60 days after the end of the fiscal year in which the payments were received, provided, however, that the University may withhold such amounts as it deems to be necessary to meet anticipated expenses of Mobilization, and further provided that where the Net Revenue includes shares or securities, as contemplated in the Technology Equity Policy, the distribution of shares or securities will be subject to the expiry of any hold period or other restriction on the transfer of any shares or securities included in the Net Revenue, whether imposed by agreement, legislation or otherwise.

5.4 If there is more than one University Inventor for any University Research Product for which Mobilization has been undertaken as set out in Section 3 of these Procedures, the University will require the University Inventors to determine a list of University Inventors and the allocation of any Net Revenue among them. This allocation will be commensurate with the relative contribution made by each University Inventor to the creation, development, discovery or invention of the University Research Product. Subject to the agreement of all University Inventors, non-inventive University Persons who contributed to the University Research Product may be included in the list described in the foregoing sentence. Any dispute relating to the list of University Inventors, their relative contributions to the University Research Product or their entitlement to the Net Revenue will be determined by the University – Industry Liaison Office.

5.5 For each University Research Product that is generating Net Revenue to be allocated to one or more University Inventors, the University will prepare an accounting of Net Revenue from time to time, but not less frequently than once per fiscal year.

5.6 A University Inventor may waive his or her right to an allocation of Net Revenue under this Section 5 by filing a waiver in writing with the University-Industry Liaison Office, in the prescribed form, prior to being allocated any portion of the Net Revenue. For greater certainty, where a University Inventor has filed a waiver under this Section 5.6, the fair market
value of the Net Revenue or shares or securities, as the case may be, otherwise allocable to
that University Inventor shall be retained by the University to be used at its sole discretion,
and shall not form part of the Net Revenue that is allocated to the University under Section
5.1 of these Procedures.

5.7 If a University Inventor chooses to be directly compensated by a company receiving any rights
in relation to the Commercial Mobilization of a University Research Product, that University
Inventor will not receive any portion of the Net Revenue from the Mobilization of the
University Research Product. In such event, the portion of the Net Revenue that would
otherwise have been allocated to that University Inventor pursuant to Section 5.1 of these
Procedures will be allocated to the University and the other University Inventors on a pro rata
basis.

6. Additional Definitions

6.1 “Administrative Head of Unit” means a Director of a service unit, a Head of an academic
department, a Director of a centre, institute or school, a Principal of a college, a Dean, an
Associate Vice-President, the Registrar, the University Librarian, a Vice-President or the
President or the equivalent.

6.2 "Commercial Mobilization" means any Mobilization which is expected, or may reasonably be
expected, to result in any payments or distributions from such Mobilization.

6.3 “Mobilization” means the development and implementation of a plan to maximize the impact
that University Research Products or Work Products have on society and may occur by way of
commercial licensing, sale, marketing, manufacturing, distribution, open source licensing,
Public Disclosure, or other disposition of a University Research Product or Work Product
and/or any works, products or services covered by, claimed by, and/or incorporating a
University Research Product or Work Product, as well as securing patents or other forms of
protection for such University Research Products or Work Products.

6.4 "Non-Commercial Mobilization" means Mobilization other than Commercial Mobilization.

6.5 "Net Revenue" means the gross payments and distributions, whether by way of cash, equity
holdings or otherwise, received by the University from the Mobilization of a University
Research Product, less all direct and indirect expenses incurred in pursuing such Mobilization
including any legal fees, patent and prototype costs, ongoing development and operational
expenses, payments under any inter-institutional revenue sharing agreement, and any other
amounts reasonably paid in the sole discretion of the University for any relevant purpose in
connection with the Mobilization of the University Research Product. For greater certainty,
any funding or reimbursement of research costs received by the University shall not form part
of the gross payments upon which Net Revenue shall be calculated.

6.6 “Principal Investigator” means the person who has primary responsibility for a research
project. In the case of a project funded by an external or internal grant, this will normally be
the holder of the grant. In the case of a project that is not funded, this will normally be the
initiator of the project. The Principal Investigator is usually the supervisor of the research
team (which may include other researchers) and is usually a faculty member.
6.7 "University Inventor" means the University Person(s) who individually or collectively created, developed, discovered or invented a University Research Product or Sponsored Research Product.

6.8 "University Person" means full-time and part-time faculty members and staff members of the University and any other person who teaches, conducts research, or works at or under the auspices of the University. For greater certainty, University Persons include but are not limited to students, adjunct and clinical faculty, librarians, lecturers, post doctoral fellows, faculty on study leave, honorary professors, research associates, and visiting professors.
EXPLANATORY NOTES REGARDING THE INVENTIONS POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Inventions Policy. These Explanatory Notes do not replace or supersede the content of the Inventions Policy and its Procedures.

Policy Long Title: Inventions and Discoveries

Policy Short Title: Inventions Policy

Policy Number: LR11

Responsible Executive: Vice-President, Research & International and Innovation

Responsible Board Committee: Learning & Research Committee

Related Policies:
- GA2 - Regulatory Framework Policy
- SC6 - Scholarly Integrity Policy
- LR2 - Research Policy
- SC3 - COI Policy
- LR8 - Technology Equity Policy

History:
- The Inventions Policy was first approved by the Board of Governors in June 2013;
- The Inventions Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Inventions Policy, its long title is Inventions and Discoveries, and its number is LR11. The previous identification number for this policy was #88.

Related Legislation: N/A
Background & Purposes:

UBC must comply with occupational health and safety legislation, as well as various regulatory requirements applicable to the safe and lawful use of Hazardous Materials and Wastes in UBC Activities, including Biological Materials, Radiation Sources, and Chemical Materials. Accordingly, this Policy aims to:

- articulate UBC’s commitment to provide healthy and safe workplace, teaching, and research environments for UBC Members; and
- identify responsibilities and standards required of UBC, acting through its Administrative Heads of Unit, UBC departments, Supervisors (including Principal Investigators), and UBC Members involved in the use and disposal of Hazardous Materials and Wastes in UBC’s workplace, teaching, and research environments.

*Defined terms are capitalized in this Policy and Procedures.*

1. **Scope of the Policy**

   1.1 This Policy applies to UBC Members, acting in their UBC capacity, when engaged in activities (collectively, “*UBC Activities*”):

   1.1.1 on UBC’s campuses;
   1.1.2 under the administrative control of UBC;
   1.1.3 utilizing UBC’s facilities or equipment;
   1.1.4 supported by Research Funds processed or secured through UBC; or
   1.1.5 authorized under licenses issued to UBC and involving Biological Materials or Radiation Sources.
2. **General Policy**

2.1 UBC aims to eliminate unnecessary risks, injuries, and occupational diseases, from UBC's workplace, teaching, and research environments.

2.2 UBC accepts Applicable Standards as minimum standards and may establish and enforce more stringent standards, as it deems appropriate for UBC Members.

2.3 Each UBC Member who engages in or is responsible for a UBC Activity involving Hazardous Materials and Wastes must:

2.3.1 Comply with this Policy and the Procedures;

2.3.2 Understand the Occupational Health and Safety Program, the Biosafety Program, the Radiation Safety Program, and the Chemical Safety Program, prior to carrying out or supervising any UBC Activities; and

2.3.3 Procure, handle, store, transport, and dispose of Hazardous Materials and Wastes in a manner that harms neither the environment nor living beings.

2.4 Each UBC Member engaged in UBC Activities involving, or potentially involving, Hazardous Materials and Wastes should endeavour to:

2.4.1 Substitute less harmful materials for those that are known to be Hazardous Materials and Wastes prior to the time of acquisition; and

2.4.2 Acquire or purchase Hazardous Materials and Wastes in sufficiently small quantities to minimize the period of storage at or by UBC.
PROCEDURES ASSOCIATED WITH THE
HEALTH AND SAFETY POLICY

A. GENERAL PROCEDURES

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Health and Safety Policy.

Scope of General Procedures

A1. Scope of General Procedures

A1.1 The Procedures apply to UBC Members when engaged in UBC Activities in workplace, teaching, and, research environments at or of UBC.

A2. Definitions

A2.1 "Administrative Head of Unit" means a Director of a service unit; a Head of an academic department or unit; a Director of a centre, institute, or school; a Principal of a college; a Dean; an Associate Vice-President or the equivalent; the Registrar; the University Librarian; a Provost; a Vice-Principal, a Vice-President or the equivalent, not otherwise identified as a member of the Responsible Executive(s).

A2.2 “Animal Care Committee” means the animal care committee referenced in the Research Policy.

A2.3 "Applicable Standards" means the legislation and standards applicable to particular UBC Activities, including: Workers Compensation Act; those relating to the Occupational Health and Safety Program; and those relating to the use of Biological Materials, Radiation Sources, and Chemical Materials.

A2.4 “Areas of Responsibility” means any faculty, department, unit, or area of responsibility and administrative control of an Administrative Head of Unit or Supervisor.

A2.5 "Biomedical Waste" means waste generated by:

A2.5.1 human or animal health care facilities;

A2.5.2 medical or veterinary research and teaching establishments;

A2.5.3 health care teaching establishments;

A2.5.4 clinical testing or research laboratories; and

A2.5.5 facilities involved in the production or testing of vaccines,
and includes:

A2.5.6 human anatomical waste consisting of human tissue, organs, and body parts;

A2.5.7 animal waste, including:

  A2.5.7.1 animal tissues, organs, body parts, carcasses, and bedding; and

  A2.5.7.2 animal blood and blood products, consisting of:

    A2.5.7.2.1 animal fluid blood and blood products;
    A2.5.7.2.2 items saturated or dripping with animal blood;
    A2.5.7.2.3 body fluids contaminated with animal blood; and
    A2.5.7.2.4 animal body fluids removed for diagnosis or during surgery, treatment, or autopsy;

  A2.5.7.3 microbiology laboratory waste consisting of:

    A2.5.7.3.1 laboratory cultures;
    A2.5.7.3.2 stocks of specimens of micro-organisms (including viruses);
    A2.5.7.3.3 live or attenuated vaccines;
    A2.5.7.3.4 human, plant, or animal cell cultures used in research; and
    A2.5.7.3.5 laboratory material that has come into contact with any of the above;

A2.5.8 human blood and blood products, consisting of:

  A2.5.8.1 human fluid blood and blood products;
  A2.5.8.2 items saturated or dripping with human blood;
  A2.5.8.3 body fluids contaminated with human blood; and
  A2.5.8.4 human body fluids removed for diagnosis or during surgery, treatment, or autopsy; and

A2.5.9 clinical and laboratory waste sharps consisting of needles, syringes, blades, or laboratory glass capable of causing punctures or cuts.

A2.6 “Biological Materials” means organisms, including genetically modified organisms, biological products, microorganisms (viruses, bacteria, and parasites etc.), human/animal/plant tissues, cells, blood and bodily fluids or bodily wastes, fungi, and other organisms/genetic systems that are potentially harmful to humans, animals, plants, and the environment.
A2.7 “Biosafety Committee” is the UBC compliance oversight committee on biosafety created by the Vice-President, Research & Innovation to ensure compliance with the Biosafety Program as set forth in the Biological Materials Procedures.

A2.8 “Biosafety Officer” is the individual authorised to oversee Biological Materials safety under the Biological Materials Procedures.

A2.9 "Biosafety Permit" is a permit issued by the Biosafety Committee under the Biological Materials Procedures.

A2.10 "Biosafety Permit Holder" means a person issued a Biosafety Permit under the Biological Materials Procedures.

A2.11 “Biosafety Program” means UBC’s program of administrative measures to manage and control risks and hazards arising from the use of Biological Materials and the production of Biomedical Waste, as detailed in the Biosafety Program Manual.


A2.13 “Chemical Materials” means any pure substance or mixture of substances with a defined composition of elements and/or molecules, including nanoparticles.

A2.14 "Chemical Safety Advisor” is the individual authorized to oversee Chemical Materials safety under the Chemical Materials Procedures.

A2.15 “Chemical Safety Committee” is the UBC chemical safety advisory committee on chemical materials created by the Vice-President, Research & Innovation to advise and make recommendations to the Vice-President, Research & Innovation, Office of Research Services and Risk Management Services with respect to the Chemical Safety Program as set forth in the Chemical Materials Procedures.

A2.16 "Chemical Safety Program" means UBC’s program of administrative measures to manage and control risks and hazards arising from the use of Chemical Materials, as detailed in the Chemical Safety Program Manual.


A2.18 "Emergency Procedures" means a plan of action(s) to be taken in a certain order in response to a contemplated emergency event (i.e., disaster response plans, building emergency response plans, and other emergency and risk management procedures).

A2.19 "Funding Terms" means the policies, rules, and regulations that govern the use of Research Funds imposed by various sources including UBC policies and procedures, the provisions of a contract for Research Funds, or the policies of the organization providing the Research Funds.

A2.20 "Hazardous Materials and Wastes" means materials and wastes posing a risk to the health of people, animals, or the environment through exposure to the material or substance
producing such risk, including Biological Materials, Radiation Sources, and Chemical Materials.

A2.21 "Joint Occupational Health and Safety Committees" mean the committees established by UBC in accordance with the Workers Compensation Act set out in the Occupational Health and Safety Procedures.

A2.22 "Local Safety Teams" mean site or department specific occupational health and safety teams established by UBC to provide area specific safety information to the relevant Joint Occupational Health and Safety Committee set out in the Occupational Health and Safety Procedures.

A2.23 "Occupational Health and Safety Program" means UBC's program of administrative measures intended to maintain a healthy and safe workplace as detailed in the Occupational Health and Safety Program Manual.


A2.25 "Principal Investigator" means the UBC Researcher who has primary responsibility for the design, conduct, and supervision of a Research project.

A2.26 “Radiation Emitting Device” means equipment that: (i) contains Radioactive Material; or (ii) through the process of operation emits energy resulting from nuclear transformation.

A2.27 “Radiation Sources” means Radioactive Material or Radiation Emitting Devices, including lasers and X-rays.

A2.28 “Radioactive Material” means matter that emits particles or energy while undergoing spontaneous nuclear transformation.

A2.29 “Radiation Safety Committee” is the UBC compliance committee on radioisotopes and radiation hazards, created by the Vice-President, Research & Innovation, to ensure compliance with the Radiation Safety Program as set forth in the Radiation Sources Procedures.

A2.30 "Radiation Safety Program" means UBC's program of administrative measures to manage and control risks and hazards arising from the use of Radiation Sources, as detailed in the Radiation Safety Program Manual.

A2.31 "Radiation Safety Program Manual" means the manual produced by UBC detailing the Radiation Safety Program under the Radiation Sources Procedures.

A2.32 “Radiation License” is a license granted to UBC by the Canadian Nuclear Safety Commission authorizing the use of Radiation Sources.

A2.33 “Radiation Safety Officer” is the person authorized to oversee radiation safety under the Radiation Sources Procedures.
A2.34 “Radiation Safety Permit” is a permit issued by the Radiation Safety Committee under the Radiation Sources Procedures.

A2.35 “Radiation Safety Training” is a program of training on the proper use of Radiation Sources approved by the Radiation Safety Officer.

A2.36 “Radiation Safety Permit Holder” is a person issued a Radiation Safety Permit under the Radiation Sources Procedures.

A2.37 “Research” means any disciplined enquiry or systematic investigation intended to extend knowledge or to establish facts or principles that is conducted by UBC Members acting in their UBC capacity.

A2.38 "Research Funds" means any funds designated to pay expenses related to the conduct of Research, including funds directed to UBC through third party donations, grants, awards, and other contractual funding arrangements, as well as funding from internal UBC sources.

A2.39 “Responsible Executive(s)” means the Vice-President, Finance & Operations and Vice-President, Research & Innovation.

A2.40 "Supervisor" means a person who manages, instructs, directs, or controls other UBC Members acting in their UBC capacity when engaged in UBC Activities, including studying, and may include Biosafety Permit Holders, Radiation Safety Permit Holders, and Principal Investigators.

A2.41 "UBC Activities" is defined in Section 1.1 of this Policy.

A2.42 “UBC Committee(s)” means collectively the following UBC compliance committees: the Biosafety Committee and the Radiation Safety Committee; and UBC advisory committee: the Chemical Safety Committee.

A2.43 "UBC Executive" means UBC's senior leadership team consisting of UBC's President, Deputy Vice-Chancellor, Vice-Presidents, Provosts, and University Counsel.

A2.44 "UBC Member" means any full-time or part-time faculty, adjunct or clinical faculty, post-doctoral fellow, staff, student, visiting academic or researcher, any person holding an appointment at UBC, or any other person having a contractual obligation to adhere to UBC’s Board of Governors’ policies and procedures.

A2.45 "UBC Researcher" means a UBC Member who conducts, supervises, or otherwise participates in Research.

A2.46 "Workers Compensation Act" means Workers Compensation Act, (RSBC 1996, Chapter 492) and related regulations, as amended from time to time.

A3. Roles, Responsibilities, and Accountability

A3.1 UBC Executive: The UBC Board of Governors has delegated to the UBC Executive the following occupational health and safety responsibilities of an employer under the Workers Compensation Act, to:
A3.1.1 ensure the health and safety of UBC Members engaging in UBC Activities in the workplace, research, and teaching environments at or of UBC;

A3.1.2 provide adequate orientation and training to Supervisors and other UBC Members, to ensure that they are made aware of:

A3.1.2.1 all known or reasonably foreseeable health or safety hazards related to Hazardous Materials and Wastes;

A3.1.2.2 compliance with Applicable Standards; and

A3.1.2.3 their individual rights and duties under this Policy or Procedures.

A3.1.3 establish as appropriate the Occupational Health and Safety Program, the Biosafety Program, the Chemical Safety Program, the Radiation Safety Program, and the Emergency Procedures, to:

A3.1.3.1 support Supervisors in the implementation of effective health and safety programs;

A3.1.3.2 provide adequate information, instruction, training, and orientation to Supervisors and other UBC Members;

A3.1.3.3 regularly inspect its workplace, teaching, and research environments, and take action, as required, to improve or address unsafe conditions or conduct when reported;

A3.1.3.4 initiate an immediate investigation into incidents/accidents/conduct through the procedures established for the area in which the incident/accident/conduct has occurred, except to the extent that such investigation jeopardizes any parallel investigation undertaken through one of the Related Policies (i.e., Sexual Misconduct Policy);

A3.1.3.5 communicate with the UBC community or affected groups about events or situations when potentially harmful conditions or conduct arise or are discovered, except to the extent that such disclosure jeopardizes any parallel reporting undertaken through one of the Related Policies (i.e. Sexual Misconduct Policy);

A3.1.3.6 ensure that workplace, teaching, and research health and safety considerations and resources form an integral part of the design, construction, purchase, and maintenance of all buildings, equipment and work processes, including the physical planning for the future research, teaching, and operational needs of UBC, so that design elements are included to address health and safety issues (e.g., ergonomics), handling, storage, transportation, emissions, and disposal of Hazardous Materials and Wastes;

A3.1.3.7 ensure that the physical space or facilities being used in UBC's workplace, teaching, and research environments are appropriate for the nature of the UBC Activities being carried out in them;
A3.1.3.8 provide access to appropriate first aid and first aid facilities;
A3.1.3.9 comply with Applicable Standards; and
A3.1.3.10 establish the Local Safety Teams to support the Joint Occupational Health and Safety Committees.

A3.2 **Administrative Head of Unit:** Each Administrative Head of Unit, acting under the authority of their respective Responsible Executive(s), and through their Supervisors, must:

A3.2.1 share in the accountability for addressing non-compliance with the Policy and the Occupational Health and Safety Program, as applicable, by UBC Members involved in UBC Activities under their Area of Responsibility; and
A3.2.2 cooperate with both Risk Management Services and the Office of Research Services, as applicable, with any workplace, teaching, and research health and safety audit, and any inspection or investigation involving their Supervisor(s) conducted in accordance with the Occupational Health and Safety Program.

A3.3 **The Supervisor:** Each Supervisor is responsible under the Applicable Standards for their Area of Responsibility and must:

A3.3.1 be accountable for the health and safety of UBC Members under their direct supervision and acting in their UBC capacity when engaged in UBC Activities;
A3.3.2 be aware of Applicable Standards and all known or reasonably foreseeable health and safety hazards pertinent to the Areas of Responsibility where such UBC Members conduct UBC Activities;
A3.3.3 formulate and document specific safety rules, guidelines, and procedures for all Areas of Responsibility under their supervision;
A3.3.4 ensure that the Emergency Procedures are in place to mitigate any hazards specific to their Areas of Responsibility, and understand, follow, and communicate to UBC Members under their supervision about Emergency Procedures;
A3.3.5 remove or mitigate unique hazards associated with the UBC Activities under their supervision with consultation from the applicable Local Safety Team and/or Joint Occupational Health and Safety Committee;
A3.3.6 provide workplace orientation and training in the safe operation of equipment, handling of Hazardous Materials and Wastes, and performance of day-to-day tasks;
A3.3.7 conduct regular inspections to identify hazardous conditions or conduct and ensure that equipment and materials are properly handled, stored, and maintained;
A3.3.8 promptly mitigate or correct unsafe work practices, conduct, or hazardous conditions;
ensure all accidents, incidents, or personal security concerns are investigated within two (2) work days;

promptly report any accidents, incidents, or conduct to the appropriate UBC authority and Risk Management Services; and

consult and cooperate with the appropriate Local Safety Team, Joint Occupational Health and Safety Committee, and/or safety representative(s) for the workplace.

A3.4 **UBC Members**: Each UBC Member must:

A3.4.1.1 comply with Applicable Standards and any rules, restrictions, guidelines, or directives established by their Supervisor, Risk Management Services, or the Office of Research Services;

A3.4.1.2 be safety-conscious in all UBC Activities;

A3.4.1.3 take all reasonable and necessary precautions to ensure their own safety and the safety of others around them;

A3.4.1.4 be familiar with the procedure to refuse unsafe work provided for under the Workers Compensation Act, if a UBC Member applies as a “worker” under the Workers Compensation Act;

A3.4.1.5 request training when unfamiliar with a task;

A3.4.1.6 correct unsafe conduct and conditions;

A3.4.1.7 report as soon as possible any accident, injury, conduct, unsafe condition, or insecure condition to a Supervisor;

A3.4.1.8 participate in inspections and investigations at the request of UBC; and

A3.4.1.9 participate in such committee, if elected or appointed to a Joint Occupational Health and Safety Committee, or a Local Safety Team, or other such health and safety committee.

A3.5 **Risk Management Services**: Risk Management Services is the department responsible for monitoring and implementing the requirements of the Workers Compensation Act and its applicable occupational health and safety regulations, the Occupational Health and Safety Program, the Emergency Procedures, and the Applicable Standards by:

A3.5.1.1 acting as a central resource and auditor of this Policy and Procedures, and any Emergency Procedures;

A3.5.1.2 reporting any Research related issue of non-compliance with this Policy or Procedures to the Office of Research Services;

A3.5.1.3 reporting any existing issue or concern identified starting with the Local Safety Team or the Joint Occupational Health and Safety Committees, Administrative
Heads of Unit, through to the Responsible Executive(s), and, as necessary and required, ultimately up to the UBC Executive, as part of their duties under the Occupational Health and Safety Program and in accordance with the Workers Compensation Act; and

A3.5.1.4 attending meetings of and reporting to the Responsible Executive(s), as required by the UBC Executives.

A3.5.2 The actual implementation and maintenance of the Occupational Health and Safety Program, the Emergency Procedures, guidelines or directives will be the responsibility of those identified under the General Procedures or the other Procedures, as applicable.

A3.6 **Office of Research Services**: the Office of Research Services is the department responsible for:

A3.6.1 endorsing Research grant applications on behalf of UBC;

A3.6.2 ensuring UBC Activities involving Research comply with Funding Terms and Applicable Standards;

A3.6.3 managing access to Research Funds in cooperation with the University-Industry Liaison Office;

A3.6.4 addressing non-compliance with Funding Terms or Applicable Standards, or both, in UBC Activities involving Research, to Risk Management Services;

A3.6.5 reporting any existing issue or concern identified by the appropriate UBC Committee(s) to the Vice-President, Research & Innovation and, as necessary and required, ultimately up to the UBC Executive, as part of their duties under the Occupational Health and Safety Program; and

A3.6.6 attending meetings of and reporting to the Responsible Executive(s), as required by the UBC Executives.

**A4. Applicable Legislation and External Standards**

A4.1 Applicable Standards may be amended from time to time, and will vary depending on the nature of the UBC Activities, the context, any substances or materials involved, including Hazardous Materials and Wastes, and possibly a variety of other factors, and may include some of the more commonly applicable legislation and standards listed below, categorized by subject matter. The list below is not intended to be an exhaustive list and is also subject to change or amendments, from time to time. In the event of any uncertainty, UBC Members should clarify Applicable Standards with their Supervisor.

A4.2 Generally Applicable to Hazardous Materials and Wastes:

A4.2.1 Hazardous Waste Regulation 63/88, (including B.C. Reg.179/2016);

A4.2.2 Occupational Health and Safety Regulation, B.C. Reg. 296/97;
A4.2.3  *Transportation of Dangerous Goods Act*, S.C. 1992, c. 34; and

A4.2.4  Transportation of Dangerous Goods Regulations, (including Amendments SOR/2016-95 and SOR/2017-137).

A4.3  **Occupational Health and Safety:**

A4.3.1  Occupational Health and Safety Regulation, B.C. Reg. 296/97;

A4.3.2  The *Hazardous Products Act* and Regulations (R.S.C., 1985, c. H-3), which govern the Workplace Hazardous Materials Information System (WHMIS) 2015;

A4.3.3  *Safety Standards Act* and Regulations, S.B.C., 2003 c. 39; and

A4.3.4  *Workers Compensation Act*, RSBC 1996, Chapter 492.

A4.4  **Biological Materials:**

A4.4.1  *Health of Animals Act*, S.C. 1990, c. 21;

A4.4.2  *Human Pathogens and Toxins Act*, S.C. 2009, c. 24;

A4.4.3  Human Pathogens and Toxins Regulations, SOR/2015-44;

A4.4.4  New Substance Notification Regulations (Organisms), SOR/2005-248;

A4.4.5  *Plant Protection Act*, S.C. 1990, c. 22; and


A4.5  **Radiation Sources:**

A4.5.1  General Nuclear Safety and Control Regulations, SOR/2000-2002;

A4.5.2  *Nuclear Safety and Control Act*, S.C. 1997, c. 9;

A4.5.3  Packaging & Transport of Nuclear Substance Regulations, 2015, SOR/2015-145; and

A4.5.4  Radiation Protection Regulations, SOR/2000-203.

A4.6  **Chemical Materials:**


A4.6.2  *Controlled Drugs and Substances Act*, S.C. 1996, c. 19;

A4.6.3  Prohibition of Certain Toxic Substances Regulations, 2012, SOR/2012-285; and

A5. General Non-Compliance

A5.1 UBC Executive will consider allegations of non-compliance with this Policy or Procedures made against those to whom this Policy and Procedure applies and, where appropriate, investigate such allegations or issue of non-compliance under the Policy and Procedures. Issues of non-compliance may affect the following: portfolios of several UBC Executive; investigatory or disciplinary actions undertaken through one of the Related Policies or other UBC policies and procedures; or criminal processes, and may be subject to Section A.6.1.

A5.2 Any UBC Member who is non-compliant with this Policy or Procedures may be subject to disciplinary action including the suspension or termination of such UBC Member’s: (i) use of Hazardous Materials and Wastes, including Biological Materials, Radiation Sources, or Chemical Materials; or (ii) involvement in certain UBC Activities.

A5.3 The Responsible Executive(s) shall meet, at a minimum, semi-annually to prepare a consolidated report to the UBC Executive as part of the Occupational Health and Safety Program set forth in the Occupational Health and Safety Procedures.

A5.4 If there is an incident of persistent non-compliance with any Applicable Standards or Funding Terms, then in accordance with Section A.3.6., UBC, through the Office of Research Services, may suspend access by such non-compliant Principal Investigator or UBC Researcher to the applicable Research Funds until the incident is adequately addressed, mitigated, and/or remedied.

A6. Reporting of Concerns

A6.1 UBC will consider allegations of non-compliance with this Policy or these Procedures made against those to whom this Policy applies and, where appropriate, investigate such allegations. If the allegations relate to matters addressed by another UBC policy or procedures, then investigation will be conducted in accordance with the policy deemed most suitable by UBC.

A6.2 UBC Members are expected to report in good faith any information pertaining to possible non-compliance with this Policy and the Procedures to their Supervisor, Risk Management Services, or the Office of Research Services, as applicable. In addition, UBC Members must cooperate fully with UBC in any process under this Policy or these Procedures. UBC will not tolerate any retaliation against anyone who, in good faith, makes an allegation, gives evidence, or otherwise participates in a process under this Policy or these Procedures.
PROCEDURES ASSOCIATED WITH THE HEALTH AND SAFETY POLICY

B. OCCUPATIONAL HEALTH AND SAFETY PROCEDURES

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Health and Safety Policy.


B1.1 These Occupational Health and Safety Procedures apply to UBC Activities.

B2. Occupational Health and Safety Program

B2.1 UBC has developed and will maintain the Occupational Health and Safety Program. Each of the Responsible Executive(s) is responsible for the operation of the Occupational Health and Safety Program within their Areas of Responsibility. However, direct oversight of particular aspects of the Occupational Health and Safety Program may be delegated by the Responsible Executive(s) to another Administrative Head of Unit, as appropriate.

B3. Joint Occupational Health and Safety Committees

B3.1 The Joint Occupational Health and Safety Committees under the Occupational Health and Safety Program are mandated to advise, assist, and make recommendations to the applicable Administrative Head of Unit to improve occupational health, safety, and personal security within their Area of Responsibility.

B3.2 Each Joint Occupational Health and Safety Committee must:

B3.2.1 develop terms of reference specific to its duties and functions as prescribed under the Workers Compensation Act;

B3.2.2 at a minimum meet monthly; and

B3.2.3 monitor UBC Activities for compliance with Applicable Standards and other UBC policies, procedures, restructures, directives, and guidelines.

B4. Local Safety Teams

B4.1 The Local Safety Teams under the Occupational Health and Safety Program are mandated to provide operational support for health and safety at UBC by: (i) identifying and recommending corrective measures regarding unsafe working conditions; (ii) conducting inspections, incident/accident investigations; and (iii) recommending health and safety initiatives to a UBC specific site, faculty, department, or unit.
B4.2 Each Local Safety Team shall develop terms of reference to be approved by the applicable Administrative Head of Unit for their Area of Responsibility.

B5. Occupational health and Safety Program Advisors

B5.1 The Occupational Health and Safety Program Advisor is responsible for providing the necessary resource materials and guidance (e.g., templates, check lists, best practices) to UBC specific site, faculties, departments, or units to support them in developing and maintaining the Occupational Health and Safety Program. Additional Local Safety Program Advisor positions may be established with responsibility to distribute the necessary resource materials and guidance to site-specific areas within a UBC faculty, department, or unit.
PROCEDURES ASSOCIATED WITH THE HEALTH AND SAFETY POLICY

C. BIOLOGICAL MATERIALS PROCEDURES

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Health and Safety Policy.

C1. Scope of the Biological Materials Procedures

C1.1 These Biological Materials Procedures apply to the use, possession, storage, transfer, import or export, and disposal of Biological Materials and Biomedical Wastes in UBC Activities, including Research and teaching with cultured animal cells, cell lines, recombinant DNA, parasites, toxins, microorganisms (i.e., viruses and bacteria), genetically modified organisms, animal or human specimens, primate body fluids (i.e., blood, prions), and culturing or isolating Biological Materials from the natural environment, such as soil and sewage.

C1.2 These Biological Materials Procedures do not apply to UBC Activities involving the use of human pathogens and toxins pursuant to licenses issued to third parties (i.e., affiliated hospitals).

C2. Biosafety Program & Committee

C2.1 UBC has developed and will maintain a Biosafety Program. The Vice-President, Research & Innovation is responsible for:

C2.1.1 establishing terms of reference for the Biosafety Committee;

C2.1.2 ensuring the composition of the Biosafety Committee complies with the terms of reference; and

C2.1.3 maintaining oversight of the Biosafety Committee.

C2.2 The Biosafety Committee is mandated to ensure UBC Activities involving Biological Materials are conducted in a safe manner, in conformity with the Biosafety Program, and in compliance with all Applicable Standards. To fulfil such mandate the Biosafety Committee is authorized to:

C2.2.1 exercise control and oversight over the acquisition, use, and disposal of Biological Materials;

C2.2.2 issue, deny, suspend, or terminate Biosafety Permits;
C2.2.3 accredit and monitor UBC facilities to ensure compliance with this Policy and Procedures;

C2.2.4 assist in the design of laboratories and training of personnel, and serve as educational resource on matters promoting biological safety for UBC Members;

C2.2.5 develop and implement a process to investigate and sanction incidents of non-compliance with this Policy or Procedures relating to the acquisition, use, storage, or disposal of Biological Materials;

C2.2.6 post all related processes approved by the Biosafety Committee where it is easily accessible by UBC Members engaging in UBC Activities involving Biological Materials; and

C2.2.7 liaise with the Animal Care Committee, the Chemical Safety Committee, and the Radiation Safety Committee, on matters within the scope of this Policy, through the chair of the Biosafety Committee.

C3. Biosafety Officer

C3.1 The Biosafety Officer's duties and functions are set out in detail in the Biosafety Program Manual and include: (i) general oversight of the Biosafety Program; (ii) monitoring all educational, medical, and Research sites over which UBC has administrative control for compliance with the Biosafety Program; (iii) communicating with applicable regulators; (iv) reporting compliance issues and regulatory changes to the Biosafety Committee; and (v) developing and providing a repository of procedures for handling Biological Materials commonly used in laboratories.

C4. Use of Biological Materials

C4.1 A UBC Member must not conduct UBC Activities involving the acquisition, use, or disposal of Biological Materials unless such activities are authorized, in advance, by either: (i) Biosafety Permit; or (ii) written exemption granted by the Biosafety Committee.

C4.2 Any Principal Investigator using or proposing to use Biological Materials in UBC Activities must consult with the Biosafety Committee prior to commencing such activities.

C4.3 Every UBC Member who works with, or who supervises individuals who work with, Biological Materials pursuant to a Biosafety Permit must comply with the Biosafety Program Manual.

C5. Biosafety Permit Holder

C5.1 The Biosafety Permit Holder is primarily responsible for the safety of others in any UBC Activity involving Biological Materials. A Biosafety Permit Holder must: (i) be aware of all hazards associated with their UBC Activities and introduce the controls necessary to minimize such hazards; (ii) ensure all personnel under their direction are trained to work with the Biological Materials in a safe and lawful manner; (iii) maintain up-to-date records of all such training; and (iv) develop and implement procedures that include:

C5.1.1 acquiring minimum quantities only;
C5.1.2 safe and secure storage;
C5.1.3 appropriate labeling and an annual inventory of Biological Materials;
C5.1.4 sharing and transferring materials only after verifying that the recipient has the appropriate licensing and permits in place;
C5.1.5 training of UBC Members under their supervision or working under the auspices of their Biosafety Permit;
C5.1.6 proper use of personal protective equipment, emergency, spill, and decontamination procedures;
C5.1.7 ensuring UBC Activities involving Biological Materials are performed only in appropriate spaces; and
C5.1.8 ensuring engineering controls used under the auspices of the Biosafety Permit (including autoclaves and biosafety cabinets) are included in programs of testing, certification, or validation as required by the Biosafety Program and Applicable Standards.

C5.2 Each Biosafety Permit Holder must, prior to generating Biomedical Waste, establish a system, compliant with the Biosafety Program Manual and Applicable Standards, to handle, decontaminate, and dispose of such Biomedical Waste.

C5.3 Each Biosafety Permit Holder must maintain their Biosafety Permit to include current lists of: (i) all personnel working on projects listed on the permit; (ii) all Biological Materials in their possession; and (iii) all areas where Biological Materials are stored and manipulated.

C6. Non-Compliance with the Biological Materials Procedures

C6.1 The Biosafety Committee may deny, suspend, or terminate a Biosafety Permit, and at its discretion instigate any non-compliance actions contemplated under the General Procedures.
PROCEDURES ASSOCIATED WITH THE
HEALTH AND SAFETY POLICY

D. RADIATION SOURCES PROCEDURES

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Health and Safety Policy.

D1. Scope of These Radiation Sources Procedures

D1.1 These Radiation Sources Procedures apply to the use of Radiation Sources in UBC Activities and to the acquisition, use, possession, storage, transfer, import, or export of Radiation Sources.

D1.2 These Radiation Sources Procedures do not apply to the use of Radiation Sources pursuant to licenses issued by the Canadian Nuclear Safety Commission to other institutions, such as, for example, where UBC Members engage in clinical or medical applications on human subjects pursuant to a license held by an affiliated hospital.

D2. Radiation Safety Program & Committee

UBC has developed and will maintain a Radiation Safety Program. The Vice-President, Research & Innovation is responsible for:

D2.1.1 establishing terms of reference for the Radiation Safety Committee;

D2.1.2 ensuring the composition of the Radiation Safety Committee complies with the terms of reference; and

D2.1.3 maintaining oversight of the Radiation Safety Committee.

D2.2 The Radiation Safety Committee is mandated to ensure UBC Activities involving Radiation Sources are conducted in a safe manner, in conformity with the Radiation Safety Program, and in compliance with all Applicable Standards. To fulfill such mandate the Radiation Safety Committee is authorized to:

D2.2.1 exercise control and oversight over the acquisition, use, and disposal of Radiation Sources;

D2.2.2 issue, deny, suspend, or terminate Radiation Safety Permits;

D2.2.3 develop and implement a process to investigate and sanction incidents of non-compliance with this Policy and the Procedures relating to the use of Radiation Sources; and
D2.2.4 liaise with the Animal Care Committee, the Chemical Safety Committee, and the Biosafety Committee, on matters within the scope of this Policy, through the chair of the Radiation Safety Committee.

D3. Radiation Safety Officer

D3.1 The Radiation Safety Officer's duties and functions are set out in detail in the Radiation Safety Program Manual and include: (i) the general oversight and monitoring of all aspects of radiation safety in UBC Activities; (ii) reporting to the Radiation Safety Committee on compliance issues and pertinent regulatory changes; and (iii) communicating with applicable regulators.

D3.2 The Radiation Safety Officer has the authority to order that any unsafe or unauthorized use of Radiation Sources by any UBC Member be modified or cease immediately.

D3.3 In the event the Radiation Safety Officer issues an order contemplated in Section D3.2: (i) the Radiation Safety Officer must notify the Radiation Safety Committee; and (ii) the Committee must meet to consider, and confirm, modify, or set aside, such order so issued.

D4. Use of Radiation Sources

D4.1 A UBC Member must not use, possess, store, transfer, import, or export Radiation Sources in UBC Activities unless such activity is: (i) authorized under a Radiation Safety Permit; (ii) limited to the use of a Radiation Emitting Device not containing Radioactive Material; or (iii) conducted pursuant to a license(s) issued by the Canadian Nuclear Safety Commission to other institutions or affiliate hospital.

D4.2 A Principal Investigator must not use any UBC services or facilities, accept funds, or request that accounts be opened by UBC Finance for Research using Radiation Sources unless: (i) such activity is authorized under a Radiation Safety Permit; or (ii) such activity is conducted pursuant to a license(s) issued by the Canadian Nuclear Safety Commission to other institutions.

D4.3 Every UBC Member who works with, or who supervises individuals who work with, Radiation Sources pursuant to a Radiation Safety Permit must: (i) comply with the Radiation Safety Program Manual; and (ii) complete Radiation Safety Training prior to handling Radiation Sources.

D5. Radiation Safety Permit Holders

D5.1 The Radiation Safety Permit Holder is primarily responsible for radiation safety in all of the areas specified on their Radiation Safety Permit and accordingly must:

D5.1.1 ensure the conditions stated in the Radiation Safety Permit are met;

D5.1.2 ensure procedures complying with the Radiation Safety Program Manual are implemented in every laboratory or workplace in which Radiation Sources are used pursuant to their Radiation Safety Permit, including procedures requiring: (i) the acquisition of minimum quantities only; (ii) safe and secure storage of materials; (iii) appropriate labeling and completion of an annual inventory of materials; (iv)
compliance with Applicable Standards related to contamination control, transfer of Radioactive Material, and disposal of radioactive waste; (v) proper use of personal protective and exposure monitoring equipment; and (vi) laboratory-specific training;

D5.1.3 ensure all UBC Members using Radiation Sources under their supervision: (i) are authorized to use the Radiation Sources under the Radiation Safety Permit and a list of such authorized personnel is maintained; (ii) comply with the Radiation Safety Program Manual; (iii) receive Radiation Safety Training; and (iv) are informed of the risks associated with exposure to ionizing radiation;

D5.1.4 designate specific work and storage areas for Radioactive Materials and ensure such areas are kept clean, are properly labeled, have adequate ventilation, and are adequately shielded;

D5.1.5 ensure engineering controls used under the auspices of the Radiation Safety Permit are included in programs of testing, certification, or validation as required by the Radiation Safety Program and Applicable Standards;

D5.1.6 report to the Radiation Safety Officer: (i) all radiation incidents; (ii) annual exposure estimates for each authorized user; and (iii) inventories of all Radioactive Materials maintained, purchased, transferred, and disposed of over the course of each calendar year;

D5.1.7 maintain records of contamination control, including wipe test data, for all areas where Radioactive Materials are used under the auspices of their Radiation Safety Permit; and

D5.1.8 provide, immediately upon request by the Radiation Safety Officer, the Radiation Safety Committee, a Transport Canada Inspector, or a Canadian Nuclear Safety Commission Inspector, all records pertaining to the purchase, receipt, use, transfer, and disposal of Radiation Sources originally acquired under their Radiation Permit.

D6. Non-Compliance With the Radiation Sources Procedures

D6.1 The Radiation Safety Committee may deny, suspend, or terminate a Radiation Safety Permit, and at its discretion instigate any non-compliance actions contemplated under the General Procedures.
PROCEDURES ASSOCIATED WITH THE
HEALTH AND SAFETY POLICY

E. CHEMICAL MATERIALS PROCEDURES

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Health and Safety Policy.

E1. Scope of the Chemical Materials Procedures

E1.1 These Chemical Materials Procedures apply to the specific acquisition, handling, use, possession, storage, transfer, import or export, and disposal of Chemical Materials in UBC Activities.

E2. Chemical Safety Program & UBC Advisory Committee on Chemical Safety

E2.1 UBC has developed and will maintain a Chemical Safety Program. The Vice-President, Research & Innovation is responsible for:

E2.1.1 establishing terms of reference for the Chemical Safety Committee;

E2.1.2 ensuring the composition of the Chemical Safety Committee complies with the terms of reference; and

E2.1.3 maintaining oversight of the Chemical Safety Committee.

E2.2 The Chemical Safety Committee is mandated to ensure UBC Activities involving Chemical Materials are conducted in a safe manner, in conformity with the Chemical Safety Program, and in compliance with all Applicable Standards. To fulfill such mandate the Chemical Safety Committee is authorized to:

E2.2.1 oversee Chemical safety and the acquisition, use, and disposal of Chemical Materials in Research;

E2.2.2 impose conditions on the use of the Chemical Materials;

E2.2.3 order that Research involving the unsafe use of Chemical Materials be suspended or terminated;

E2.2.4 consider and advise on best practices for the safe handling of Chemical Materials including transportation, handling, storage, workplace safety, disposal, and transferring of materials and effluents;
take whatever steps it deems necessary to ensure the correct and safe use of Chemical Materials;

review and report to the Vice-President, Research & Innovation, or their delegate, policies, and guidelines for the use of Chemical Materials by all faculty, staff, and students of UBC;

advise on current and future needs for the safe transportation, handling, storage, workplace safety, recycling, disposal, and transferring of materials Chemical Materials and effluents;

review Applicable Standards related to chemical hazards, environmental issues and waste management, and to assess the impact on UBC Activities;

review risk assessments of Research involving Chemical Materials, relating to the acquisition, use, and disposal of Chemical Materials for Research, in conjunction with the Office of Research Services and Risk Management Services, as applicable; and

liaise with the Animal Care Committee, the Biosafety Committee and the Radiation Safety Committee, on matters within the scope of this Policy, through the chair of the Chemical Safety Committee.

**E3. Chemical Safety Advisor**

E3.1 The Chemical Safety Advisor's duties and functions are set out in detail in the Chemical Safety Program Manual and includes the authority to order that any use of Chemical Materials, by Principal Investigator or any UBC Member, be modified or cease immediately.

E3.2 In the event the Chemical Safety Advisor issues an order contemplated in Section E3.1: (i) the Chemical Safety Advisor must notify the Chemical Safety Committee; and (ii) the Chemical Safety Committee must meet to consider, confirm, modify, or set aside, such order so issued.

**E4. Use of Chemical Materials**

E4.1 Every UBC Member using Chemical Materials in UBC Activities must comply with the Chemical Safety Program Manual.

E4.2 A Principal Investigator and/or Supervisor responsible for a laboratory in which Chemical Materials are utilized must develop and implement written laboratory-specific procedures consistent with Applicable Standards and the Chemical Safety Program Manual.

E4.3 Each Administrative Head must implement procedures compliant with Applicable Standards and the Chemical Safety Program Manual for any Area of Responsibility using Chemical Materials.
E5.  Non-Compliance with the Chemical Materials Procedures

E5.1 The Chemical Safety Committee may take any steps necessary under the Chemical Materials Procedures, and at its discretion instigate any non-compliance actions contemplated under the General Procedures.
EXPLANATORY NOTES REGARDING THE
HEALTH AND SAFETY POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Health and Safety Policy. These Explanatory Notes do not replace or supersede the content of the Health and Safety Policy and its Procedures.

Policy Long Title: Occupational and Research Health and Safety Policy

Policy Short Title: Health and Safety Policy

Policy Number: SC1

Responsible Executive: Vice-President, Finance & Operations
Vice-President, Research & Innovation

Responsible Board Committee: Audit Committee

Related Policies: GA2 - Regulatory Framework Policy
SC7 - Discrimination Policy
SC4 - Environmental Protection Policy
SC10 - Disaster Management Policy
UP7 - Pest Control Policy
SC13 - At-Risk Behaviour Policy
LR2 - Research Policy
SC17 - Sexual Misconduct Policy

History:
- The Health and Safety Policy was first approved by the Board of Governors in January 1985;
- The Health and Safety Policy was revised in March 1994;
- The Health and Safety Policy was revised in December 2018;
- The Health and Safety Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Health and Safety Policy, its long title is Occupational and Research Health and Safety Policy, and its number is SC1. The previous identification number for this policy was #7.

Related Legislation:
- *Controlled Drugs and Substances Act*, S.C. 1996, c. 19
- General Nuclear Safety and Control Regulations, SOR/2000-2002
- Hazardous Waste Regulation 63/88, (including B.C. Reg.179/2016)
- *Health of Animals Act*, S.C. 1990, c. 21
- Human Pathogens and Toxins Regulations, SOR/2015-44
- New Substance Notification Regulations (Organisms), SOR/2005-248
- Occupational Health and Safety Regulation, B.C. Reg. 296/97
- Packaging & Transport of Nuclear Substance Regulations, 2015, SOR/2015-145;
- *Plant Protection Act*, S.C. 1990, c. 22;
- Transportation of Dangerous Goods Regulations, (including Amendments SOR/2016-95 and SOR/2017-137)
- *Workers Compensation Act*, RSBC 1996, Chapter 492
- Radiation Protection Regulations, SOR/2000-203
Background & Purposes:

The Purpose of this Policy is as follows:

- to provide a formal statement of commitment in response to global and local concerns regarding environmental protection;
- to provide a framework for establishing procedures that will ensure consistent response to environmental issues, and demonstrate responsibility and due diligence on the part of the University;
- to develop auditing and monitoring procedures which are effective for a university setting;
- to ensure compliance with all applicable environmental regulations at all sites of University activity;
- to provide for the development of programs to prevent pollution;
- to provide communication and education about environmental issues;
- to provide a platform for sustainable development efforts at UBC.

1. General

1.1. UBC will act responsibly and demonstrate accountable management of the property and affairs of UBC in protecting the environment. All individuals in the University community share the responsibility for protecting the environment. Administrative heads of unit are responsible for ensuring compliance with legislation and UBC procedures both on and off campus.
PROCEDURES ASSOCIATED WITH THE ENVIRONMENTAL PROTECTION POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Environmental Protection Policy.

1. General

1.1 The University will continue to develop and maintain an environmental management system consistent with the purpose of this policy and with the goal of continual improvement.

1.2 Procedures and reporting structures for matters of compliance with environmental legislation are necessary to demonstrate due diligence of UBC, its Board of Governors, senior officers, students, and members of faculty and staff, by addressing responsibly activities which have potential for exposure to lawsuits and prosecution.

1.2.1 "Where a corporation commits an offense under this Act, any officer, director or agent of the corporation who directed, authorized, assented to or acquiesced in or participated in the commission of the offense is a party to and guilty of the offense, and is liable to punishment provided for the offense, whether or not the corporation has been prosecuted or convicted." ... Section 122 of the Canadian Environmental Protection Act

1.3 Procedures, guidelines and programs addressing specific environmental issues will be developed and updated as required, as part of the University environmental management system, to accomplish the objective of compliance with environmental legislation, with the full participation of the University community. These will include evaluation guidelines and monitoring procedures, effective measures of progress, reporting mechanisms, educational programs, and contingency plans for accidents that affect the environment.

1.4 The Manager, Environmental Programs and the UBC Okanagan HSE Officer, both reporting through the Director, Health, Safety and Environment and the Vice President Administration and Finance/Vice-President, Finance and Operations, will be responsible for focusing efforts on the most serious problems, promoting development of the environmental management system and coordinating activities through administrative heads of unit. These efforts include environmental audits, central monitoring, recording and reporting progress (and instances of non-compliance) on environmental protection issues, providing training to the campus community and serving as the central information source about current and anticipated legislation applicable to UBC as well as providing linkages for sustainable development efforts.
2. Detailed Procedures

2.1 The Manager, Environmental Programs and the UBC Okanagan HSE Officer, in conjunction with the Environmental Programs Advisory Committee, will develop and maintain a process for identifying the University's significant environmental impacts and for developing objectives and targets to manage and reduce these impacts where feasible.

2.2 Environmental audits will be performed of all areas and activities under the control of the University. Audits will include evaluation of waste, emissions, hazardous materials, emergency response procedures and the adequacy of training of students, faculty and staff. Such audits will measure the extent of compliance with federal, provincial and local legislation and identify potential environmental risks.

2.3 An action plan will be developed by the administrative head of unit for bringing all identified deficiencies into compliance with legislation, in consultation with the Manager, Environmental Programs, and will be forwarded to the Vice-President responsible for the unit for approval of actions, timing, and funding.

2.4 Monitoring systems and procedures for handling and reporting accidents/incidents will be established for all activities and areas of concern. Administrative heads of unit are responsible for ensuring that the monitoring is carried out in accordance with established systems and for reporting on the monitoring to both the unit's Vice-President and the Manager, Environmental Programs or the UBC Okanagan HSE Officer, as applicable. Deficiencies detected through monitoring or other means will be corrected as soon as possible.

2.5 Environmental Programs will develop programs designed to prevent pollution and will encourage and support such activities within the University community.

2.6 When the impact or experimental design of activities to be conducted at off-campus locations has unknown or potentially harmful environmental consequences, the member of faculty or staff responsible will apply in advance for a certificate of environmental protection from the Environmental Programs Advisory Committee to review and authorize such activities. Research protocols, consistent with practices approved by the Advisory Committee for individual experiments, may be authorized by the Advisory Committee for experiments which are to be repeated. These steps are necessary because of the university's potential liability for problems arising from off-campus activities.

2.7 Administrative heads of unit are responsible for ensuring communication about the goal of compliance with environmental legislation and appropriate training of all persons working or studying within their units in relevant environmental issues and procedures for recognizing, dealing with and reporting accidents that affect the environment.

2.8 Supervisors and principal investigators are responsible for ensuring University procedures are followed and for instructing personnel under their supervision regarding applicable policies, programs and procedures. Individuals working in environmentally sensitive areas or with potentially hazardous materials must be given appropriate supervision, instruction and training prior to undertaking work.
2.9 Reports of all audits, plans for correcting deficiencies, reports on satisfying monitoring requirements, accident-handling procedures and any minor accidents/incidents will be brought, through the senior officers of the University, to the Board of Governors at its regular meetings. Any accidents/incidents of significant environmental impact will be brought to the attention of the Chair of the Board of Governors by the President or his/her designate immediately.

2.10 When potentially harmful conditions arise or are discovered, the administrative head of unit is responsible for notifying individuals who might be affected and keeping them aware of efforts to correct the situation.

2.11 The Manager, Environmental Programs and the UBC Okanagan HSE Officer ensure that consultations with the campus and surrounding communities about the state of compliance and progress toward it take place. The Manager, Environmental Programs will publish annually a report which includes information on the audits conducted, the compliance issues dealt with and outstanding, training and communication activities, and responses to accidents affecting the environment.

3. Definitions

3.1. **Administrative head of unit** means a Director of a service unit, a Head of an academic department, a Director of a centre, institute or school, a Principal of a college, the Coordinator of Health Sciences, a Dean, an Associate Vice-Vice-President, the Registrar, the University Librarian, a Vice-Vice-President or the President.

3.2. **Due diligence** means the care a reasonable person would take, having regard to all the circumstances and information about which that person knew or ought to have known.

3.3. **Environment** means the biophysical conditions under which people or things live or are developed.

3.4. **Environmental audit** means a systematic, objective method of identifying and verifying that laws, regulations, procedures and University guidelines for environmental, health, occupational hygiene, safety and emergency preparedness standards are being followed. The examination involves analysis, testing and confirmation of procedures and practices.

3.5. **Supervisor** means a person, not necessarily an administrative head of unit, who has been delegated supervisory responsibility for others working or studying at UBC.

3.6. **University community** means all persons associated with The University of British Columbia, including students, members of faculty and staff, visitors, contractors, suppliers, tenants, and users of facilities.
EXPLANATORY NOTES REGARDING THE
ENVIRONMENTAL PROTECTION POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Environmental Protection Policy. These Explanatory Notes do not replace or supersede the content of the Environmental Protection Policy and its Procedures.

Policy Long Title: Environmental Protection Compliance

Policy Short Title: Environmental Protection Policy

Policy Number: SC4

Responsible Executive: Vice-President, Finance and Operations

Responsible Board Committee: Audit Committee

Related Policies: GA2 - Regulatory Framework Policy

History:
- The Environmental Protection Policy was first approved by the Board of Governors in January 1994;
- The Environmental Protection Policy was revised in June 2005;
- The Environmental Protection Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Environmental Protection Policy, its long title is Environmental Protection Compliance, and its number is SC4. The previous identification number for this policy was #6.

Related Legislation: Canadian Environmental Protection Act R.S.C. 1999, c. 33
Background & Purposes:

To delineate responsibility for decisions concerning cancelling classes and curtailing services in the event of snow and to outline guidelines for communication and staffing over heavy snowfall days.

1. General

1.1 The University will remain open during snow storms but may cancel or reschedule classes on a campus-wide basis and/or curtail non-essential services in response to the conditions.
PROCEDURES ASSOCIATED WITH THE SNOW POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Snow Policy.

1. General

1.1 The University remains open during extreme snow conditions where essential services are required. Examples of this activity are the food service needed for students in residence, the functioning of the central heating plant and maintenance of security.

1.2 Certain extreme weather conditions may dictate the cancellation of classes (both credit and non-credit) on a campus-wide basis and the curtailment of non-essential services. In this situation, the decision will be made by the Deputy Vice-Chancellor of each campus or his/her delegate. The decision will be communicated within the university community by the Vice-Vice-Presidents, Deans, Heads and Directors. The decision will be communicated to local radio and television stations by Public Affairs. All communication with the media will be from the Office of the Deputy Vice-Chancellor of each campus or Public Affairs.

2. Detailed Procedures

2.1 In the event of deteriorating conditions overnight, every effort will be made to communicate the decision to the radio and television stations by 6:00 a.m.

2.2 Heads of administrative units are to formulate their own guidelines about which individual members of faculty and staff must report for work because of the essential nature of their responsibilities when classes are cancelled and/or services curtailed because of snow. Members of faculty and staff who have not been designated by their administrative head of unit as essential for snow services may choose to stay at home under this circumstance, and may arrange with their administrative head of unit to make up the time (if scheduling permits), take a vacation day or to take the day off without pay.

2.3 In the event of deteriorating conditions during a person’s normal workday, the administrative head of unit has the authority to permit members of faculty and staff who are not designated as essential for snow services to leave early without loss of pay, upon receiving the communication originating from the Deputy Vice-Chancellor of each campus.

2.4 A member of staff who is expected at work but unable to come because of snow is expected to advise the administrative head of unit as soon as possible. Also, a member of staff may be
delayed in getting to work because of snow. In both cases, with the agreement of the administrative head of unit, the member of staff may receive compensation for the day by using vacation time or accumulated time owing, or may make arrangements to make up the time.
EXPLANATORY NOTES REGARDING THE
SNOW POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Snow Policy. These Explanatory Notes do not replace or supersede the content of the Snow Policy and its Procedures.

Policy Long Title: Disruption of Classes/Services by Snow

Policy Short Title: Snow Policy

Policy Number: SC5

Responsible Executive: Vice-President, Administration and Finance and Operations

Responsible Board Committee: People, Community & International Committee

Related Policies: GA2 - Regulatory Framework Policy

History:
- The Snow Policy was first approved by the Board of Governors in May 1994;
- The Snow Policy was revised in June 2005;
- The Snow Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Snow Policy, its long title is Disruption of Classes/Services by Snow, and its number is SC5. The previous identification number for this policy was #68.

Related Legislation: N/A
The University is committed to providing an environment that supports the best research and scholarly practices and that fosters UBC Persons’ abilities to act honestly, accountably, openly and fairly in the search for and dissemination of knowledge. The University community has always recognized the necessity for and importance of maintaining the highest ethical standards in the conduct of Scholarly Activities, and all UBC Persons are expected to uphold these standards. UBC Persons are personally and directly responsible for the intellectual and ethical quality of their work.

The purposes of this Policy are:

- to meet the requirements set out in the *Tri-Agency Framework: Responsible Conduct of Research*;
- to articulate the responsibilities and standards required of UBC Persons engaged in Scholarly Activity; and
- to provide a process for dealing with allegations of Scholarly Misconduct.

1. **Scope**

1.1 This Policy applies to all UBC Persons who engage in Scholarly Activity.

2. **Responsibilities**

2.1 UBC Persons are responsible for familiarizing themselves with the scholarly standards and practices that are generally accepted within the relevant scholarly field and following them honestly, accountably, openly and fairly. Generally accepted scholarly standards and practices include:

2.1.1 complying with the requirements of all applicable funding applications and agreements, University and other policies, standards of the relevant profession or discipline, and laws and regulations;
2.1.2 using a high level of scholarly rigour and integrity in proposing and performing research; in recording, analyzing, and interpreting data; and in reporting and publishing data and findings;

2.1.3 if they are a principal investigator in any research project, ensuring that the research conditions applicable to the research project, including compensation and practices around supervision, authorship and recording data, are properly articulated in writing and disseminated to all members of the research team prior to engagement in the project. Templates for such documents are available from the Faculty of Graduate Studies at UBC Vancouver and the College of Graduate Studies at UBC Okanagan;

2.1.4 keeping complete and accurate records of data, methodologies and findings, including graphs and images, in a manner that will allow verification or replication of the work by others. This includes recording all primary data in clear, adequate, original and chronological form, and retaining it in a repository from which it cannot be removed. The principal investigator is responsible for the collection, maintenance and retention of research data. Records of data should normally be retained in the unit in which they are produced for at least five years after the work is published or otherwise presented (if the form of the record or data permits this, and subject to any assurances that data would be destroyed to assure anonymity). Records should be retained in their original medium, or transferred to a secondary medium provided that the transfer process is fully validated, and the person who transfers the data from the original to the secondary medium attests that the secondary documents are true copies of the respective original record including any and all notations, corrections, or other changes made to the original record prior to the creation of the secondary documents. In the case of collaborative research all those involved in the conduct of the research will have access to the data (subject to any assurances that access to the data would be restricted to assure anonymity), and will normally be allowed to make copies of the record. Such access may be restricted only when a request to do so is made in writing and approved by the Vice-President;

2.1.5 engaging in original work, and referencing (and, where applicable, obtaining permission for) the use of all published and unpublished work, including data, source material, methodologies, findings, graphs and images;

2.1.6 including as authors, with their consent, all those and only those who have made a material intellectual contribution to, and share responsibility for, the contents of the document, in a manner consistent with their respective contributions and the authorship policies of relevant publications;

2.1.7 acknowledging, in addition to authors, all contributors and contributions to research, including writers, funders and sponsors;

2.1.8 ensuring that all inventors listed on a patent application have made an inventive contribution to the invention, and all inventive contributors are listed;
2.1.9 appropriately disclosing and managing any real, potential or perceived conflict of interest, in accordance with the University’s policy on conflict of interest and the applicable conflict of interest requirements of any funders;

2.1.10 ensuring that others listed on applications for funding have agreed to be included, providing true, complete and accurate information in their applications for funding and related documents (such as letters of support or progress reports), and representing themselves, their research and their accomplishments in a manner consistent with the scholarly standards and practices that are generally accepted within the relevant scholarly field;

2.1.11 providing true, complete and accurate information on documentation for expenditures from grant or award accounts;

2.1.12 obtaining any necessary approvals, permits or certifications before conducting certain types of research, such as research involving humans or animals; and

2.1.13 being proactive in rectifying any Scholarly Misconduct, for example, by correcting the research record, providing a letter of apology to those impacted by the Scholarly Misconduct, or repaying funds.

3 Scholarly Misconduct

3.1 UBC Persons involved in Scholarly Activity must not commit Scholarly Misconduct.

3.2 “Scholarly Misconduct” means conduct that breaches the scholarly standards and practices that are generally accepted within the relevant scholarly field. This may include a failure to meet any of the expectations set out in section 2.1 of this Policy, and also includes the following:

3.2.1 Fabrication or Falsification;

3.2.2 the destruction of one’s own or another’s research data or records to specifically avoid the detection of wrongdoing or in contravention of any applicable funding agreements, University or other policies, standards of the relevant profession or discipline, or laws and regulations;

3.2.3 Plagiarism;

3.2.4 Self-Plagiarism;

3.2.5 inaccurate attribution, including attribution to persons other than those who made a material intellectual contribution to an invention or to the contents of a publication or research project, or agreeing to be listed as an inventor on a patent application or as an author or contributor to a publication or research project to which one made no material intellectual contribution; and
3.2.6 failure to appropriately recognize or acknowledge the contributions of others in a manner consistent with their respective contributions and, if applicable, consistent with the authorship policies of relevant publications,

but does not include situations of: honest and reasonable error; conflicting data; valid differences in experimental design; or in interpretation or evaluation of information.

3.3 The University will investigate allegations of Scholarly Misconduct made against those to whom this Policy applies in accordance with the procedures established under this Policy.

3.4 All UBC Persons are personally and directly responsible for the intellectual and ethical quality of their work and must ensure that their Scholarly Activity meets the requirements of all applicable funding agreements, University or other policies, standards of the relevant profession or discipline, and laws and regulations. However, UBC Persons who have failed to exercise reasonable care in directing and supervising UBC Persons who have committed Scholarly Misconduct may share in the responsibility and be subject to discipline accordingly.

3.5 Acts of Scholarly Misconduct may be committed with varying degrees of intent. It is recognized that the borderline between scholarly incompetence, carelessness and negligence, on the one hand, and intentional misconduct, on the other, may be very narrow. The result is Scholarly Misconduct in any case, although the degree of intent may be a mitigating factor in determining the appropriate consequences.

3.6 UBC Persons are expected to report in good faith any information pertaining to possible Scholarly Misconduct to the University, and must cooperate fully with the University in any process under this Policy. The University will not tolerate any retaliation against anyone who, in good faith, makes an allegation, gives evidence, or otherwise participates in a process under this Policy.

4 Definitions

4.1 “Fabrication” means making up data, source material, methodologies or findings, including graphs and images, and recording or reporting them.

4.2 “Falsification” means manipulating, changing, or omitting data, source material, methodologies, or findings, including graphs and images, without acknowledgement, and which results in inaccurate recorded or reported findings or conclusions.

4.3 “Plagiarism” means presenting and using another’s published or unpublished work, including theories, concepts, data, source material, methodologies or findings, including graphs and images, as one’s own, without appropriate referencing.

4.4 “Scholarly Activity” means research, scholarship, or artistic/creative activity carried out in the course of a UBC Person’s work or studies at the University and includes activities that would be appropriate for inclusion on a curriculum vitae or in an Annual Report to a Department Head, but does not normally include research and scholarship carried out by students that is not intended for publication.
4.5 “Scholarly Misconduct” has the meaning provided in section 3.2 of this Policy.

4.6 “Secretariat on Responsible Conduct of Research” means the body that administers the Tri-Agency Framework: Responsible Conduct of Research on behalf of the Tri-Agencies.

4.7 “Self-Plagiarism” means the reuse of one’s own previously written work or part thereof, or data, whether published or unpublished, in a new written product without adequate acknowledgement of the previous use.

4.8 “Tri-Agency” and “Tri-Council Agency” means the Canadian Institutes of Health Research (CIHR), the Natural Sciences and Engineering Research Council (NSERC), and the Social Sciences and Humanities Research Council (SSHRC), collectively.

4.9 “Tri-Agency Framework: Responsible Conduct of Research” means the policy addressing integrity in research and scholarship issued by the Tri-Council Agencies.

4.10 “UBC Persons” means those participating in Scholarly Activity at or under the auspices of the University. This includes faculty (including adjunct, clinical, and sessional faculty, emeriti, lecturers, and those holding visiting appointments), librarians, staff, post-doctoral fellows, and students.

4.11 “Vice-President” means the Vice-President, Research & International Innovation.
Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Scholarly Integrity Policy.

1. General

1.1 The University will exercise its authority and discretion under these Procedures in conformity with the principles of procedural fairness in the university context.

1.2 The respondent or any party involved in an investigation may have a representative or support person present at any time during the process outlined under these Procedures. Members of unions and employee associations have all rights to representation that their collective agreements confer.

1.3 All matters relating to Scholarly Misconduct, including confidential enquiries, allegations of Scholarly Misconduct, and information related to allegations, are to be sent to the Vice-President. The Vice-President is normally sufficiently at arm’s length so as to be viewed as impartial and free of personal conflicts of interest. If the Vice-President determines that it would be inappropriate to address a particular allegation for whatever reason, the Vice-President may refer the allegation to the Vice-President, Academic who will then assume all of the responsibilities of the Vice-President under these Procedures.

1.4 The University respects the sensitive nature of the information that individuals may provide under these Procedures. Such information will only be disclosed in accordance with these Procedures or as otherwise authorized by law. All records are maintained by the University in accordance with the B.C. Freedom of Information and Protection of Privacy Act and other applicable laws and orders of the Courts, and other bodies having jurisdiction over such matters.

2. Allegations

2.1 An allegation of Scholarly Misconduct may come from various sources inside or outside the University. For example, the allegation may come from a UBC Person, a granting source, a member of the general public, a media report, or an anonymous source.

2.2 The ability of the University to investigate an allegation may be hampered if it is from an anonymous source, or if an allegation is not made in writing, and in some cases the University may be unable to proceed.
2.3 The Vice-President will advise the relevant Tri-Council Agency or the Secretariat on Responsible Conduct of Research immediately if any allegations are received that are related to activities funded by a Tri-Council Agency that may involve significant financial, health and safety, or other risks. The notification will include the name of the UBC Person alleged to have committed the Scholarly Misconduct and the nature of the allegation.

3. Authority of the Vice-President

3.1 In the case of multiple allegations involving the same respondent(s), the Vice-President may consolidate the allegations. In cases of collaborative research involving other institutions, the Vice-President may modify these Procedures to facilitate the conduct of parallel or joint investigations or as otherwise deemed appropriate by the Vice-President.

3.2 At any time, the Vice-President may take such action as the Vice-President deems appropriate in order to protect the administration of University and outside funds, ensure that evidence is preserved, or prevent further possible misconduct or damage while the process outlined under these Procedures is carried out, including any or all of the following:

3.2.1 closing down and declaring “off limits” facilities used for the Scholarly Activity that is the subject matter of the allegation;

3.2.2 freezing grant accounts or requiring a second authorized signature from a University representative on all expenses charged to the respondent’s grant accounts; and

3.2.3 obtaining and securing relevant documentation (such as lab notes, electronically stored information or electronic storage devices, and proof of credentials).

4. Inquiry

4.1 Upon receipt of an allegation, the Vice-President will conduct an inquiry to establish whether an allegation is responsible and whether an investigation is warranted. A responsible allegation is one that is made in good faith, is based on matters which have not been the subject of a previous allegation, and falls within the jurisdiction of the Policy. As part of the inquiry, the Vice-President may do any or all of the following:

4.1.1 inquire into the allegation further;

4.1.2 request that the relevant unit of the University review the allegation, or some aspect of the allegation, and report to the Vice-President; and

4.1.3 appoint an individual(s) to review the allegation, or some aspect of the allegation, and report to the Vice-President.

4.2 At the conclusion of the inquiry, the Vice-President may do any or all of the following:

4.2.1 dismiss the allegation, or some aspect of the allegation;
4.2.2 appoint an Investigative Committee to investigate the allegation, or some aspect of the allegation; and

4.2.3 take such other action as the Vice-President deems appropriate, including referring the matter to another appropriate University office.

4.3 At the conclusion of the inquiry, the Vice-President will inform the respondent and the respondent’s Dean, Director or Department Head in writing as to whether or not the University is proceeding with an investigation of the allegation. The Vice-President will also normally inform the party who made the allegation and, if the party is a UBC Person, the party’s Dean, Director or Department Head.

4.4 If the Secretariat on Responsible Conduct of Research was advised of an allegation under section 2.3 above, the Vice-President will also advise the Secretariat as to whether or not the University is proceeding with an investigation of the allegation.

4.5 The inquiry process will normally be completed within two months of receipt of the allegation.

5. Investigation

5.1 If the Vice-President has determined that an investigation is warranted, he or she will appoint an Investigative Committee comprised of three individuals, at least one of whom will be external with no current affiliation with the University. The members of the Investigative Committee must be without conflict of interest, whether real or apparent, and must include members who have the necessary expertise.

5.2 The mandate of the Investigative Committee is to investigate the allegation and determine on a balance of probabilities whether Scholarly Misconduct has occurred and if so, its extent and severity, and the degree of intent on the part of the respondent. The determination is made by majority vote.

5.3 The Investigative Committee may investigate the allegation using any means it deems appropriate in the circumstances, subject to the principles of procedural fairness in the university context. Such means may include the following:

5.3.1 requesting written submissions from the respondent and any other parties with information that might be relevant to the allegations, including the party who made the allegation;

5.3.2 interviewing the respondent and any other parties with information that might be relevant to the allegations, including the party who made the allegation;

5.3.3 obtaining documents relevant to the allegation;

5.3.4 requesting audits of any relevant sponsored research accounts; and

5.3.5 consulting with other University offices or seeking impartial expert opinions and advice.
5.4 In all investigations, the respondent will be informed of the allegation being made against them, and will be given an opportunity to reply.

5.5 At the outset of each investigation, the Investigative Committee will inform the respondent of the process and timelines it intends to follow.

5.6 All UBC Persons must cooperate fully with the Investigative Committee and make available any documents requested by the Investigative Committee.

5.7 The investigation will normally be completed within three months of the Vice-President appointing an Investigative Committee to investigate an allegation.


6.1 Upon completion of its investigation, the Investigative Committee will prepare a written report that includes the following information:

   6.1.1 the allegation;

   6.1.2 a list of the parties who provided information and a summary of the information they provided;

   6.1.3 a summary of the relevant documents and other material reviewed;

   6.1.4 findings of fact based on the information gathered during the investigation;

   6.1.5 a determination as to whether Scholarly Misconduct occurred;

   6.1.6 if Scholarly Misconduct is found to have occurred, a determination as to its extent and severity, and the degree of intent on the part of the respondent; and

   6.1.7 recommendations on any remedial action to be taken and/or changes to University procedures or practices to avoid similar situations in the future.

6.2 Recommendations of the Investigative Committee under section 6.1.7. may include:

   6.2.1 withdrawing any relevant articles, papers or other documents that have been submitted for publication but not yet published;

   6.2.2 notifying publications in which any relevant Scholarly Activity was published or reported;

   6.2.3 notifying relevant outside funders;

   6.2.4 ensuring that the units involved are informed of appropriate practices for promoting scholarly integrity; and
6.2.5 any other appropriate action to be taken, other than discipline.

6.3 The Investigative Committee will normally deliver its report to the Vice-President and to the respondent within one month of the completion of its investigation.

6.4 Upon receipt of the report from the Investigative Committee, the Vice-President will normally send a copy of the report to the party who made the allegation.

7. Recourse and Accountability

7.1 If the Investigative Committee determines that Scholarly Misconduct has not occurred, the Vice-President will make a final decision on whether any remedial action is necessary, and will communicate that decision in writing along with a copy of the report to the President and the respondent, and when appropriate to the one who made the allegation, and any relevant Deans, Directors, or Department Heads. In such instances, reasonable efforts will be made by the Vice-President to protect or restore the reputation of the respondent as appropriate.

7.2 If the Investigative Committee determines that Scholarly Misconduct has occurred, the Vice-President will forward the Investigative Committee’s report:

7.2.1 In the case of a faculty member or a librarian, to the relevant Dean(s) and the President. Taking into account the severity of the breach, the Dean(s) or the President (consistent with the provisions of any relevant collective agreement) will normally consult with the Vice-President and then make a final decision as to what discipline or other action, if any, is appropriate, and will send a copy of the report and communicate that decision in writing to the faculty member or librarian, the Dean(s) (if the President made the final decision) or the President (if the Dean(s) made the final decision), and the Vice-President.

7.2.2 In the case of a staff member, to the relevant Director, Department Head, Dean, or appropriate Vice-President. Taking into account the severity of the breach, the Director, Department Head, Dean, or appropriate Vice-President (consistent with the provisions of any relevant collective agreement or terms and conditions of employment) will normally consult with the Vice-President and then make a final decision as to what discipline or other action, if any, is appropriate, and will send a copy of the report and communicate that decision in writing to the staff member, the President, and the Vice-President.

7.2.3 In the case of a postdoctoral fellow, to the relevant Department Head. Taking into account the severity of the breach, the Department Head will normally consult with the Vice-President and then make a final decision as to what discipline or other action, if any, is appropriate, and will send a copy of the report and communicate that decision in writing to the postdoctoral fellow, the postdoctoral fellow’s Dean, the President, and the Vice-President.

7.2.4 In the case of a student, to the President. Taking into account the severity of the breach, the President will normally consult with the Vice-President and then make a final
decision as to what discipline or other action, if any, is appropriate, and will send a copy of the report and communicate that decision in writing to the student, the student’s Dean, and the Vice-President.

7.3 All final decisions under sections 7.1 and 7.2 will normally be made and communicated within one month of receipt of the Investigative Committee’s report.

7.4 If the Investigative Committee determines that Scholarly Misconduct has occurred, the Vice-President may report the Scholarly Misconduct to other parties as deemed appropriate, including relevant outside funders, publications in which the relevant Scholarly Activity was reported or to which it was submitted, or those UBC Persons affected by the Scholarly Misconduct.

7.5 The Vice-President will prepare a report for the Secretariat on Responsible Conduct of Research on each investigation it conducts in response to an allegation of Scholarly Misconduct related to a funding application submitted to a Tri-Council Agency or to an activity funded by a Tri-Council Agency. The report will include the information required by the Secretariat on Responsible Conduct of Research, as set out under the reporting requirements in the Tri-Agency Framework: Responsible Conduct of Research.

7.6 The Vice-President will publish anonymized, statistical annual reports on confirmed findings of breaches of this Policy and any actions taken.

8. Appeal

8.1 Student respondents may appeal any discipline that is imposed under these Procedures through the UBC Vancouver Senate Student Appeals on Academic Discipline Committee if they are a UBC Vancouver student or the UBC Okanagan Senate Appeals of Standing and Discipline Committee if they are a UBC Okanagan student.

8.2 Faculty, librarian, and staff respondents may appeal any discipline that is imposed under these Procedures through the grievance procedures of their collective agreements or their terms and conditions of employment, if applicable.
EXPLANATORY NOTES REGARDING THE
SCHOLARLY INTEGRITY POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Scholarly Integrity Policy. These Explanatory Notes do not replace or supersede the content of the Scholarly Integrity Policy and its Procedures.

Policy Long Title: Scholarly Integrity

Policy Short Title: Scholarly Integrity Policy

Policy Number: SC6

Responsible Executive: Vice-President, Research and Innovation

Responsible Board Committee: Learning & Research Committee

Related Policies: GA2 - Regulatory Framework Policy

History:

- The Scholarly Integrity Policy was first approved by the Board of Governors in January 1995;
- The Scholarly Integrity Policy was revised in April 2013;
- The Scholarly Integrity Policy was updated in July 2019 to reflect the new policy identification system; it is currently identified as the Scholarly Integrity Policy, its long title is Scholarly Integrity, and its number is SC6. The previous identification number for this policy was #85.

Related Legislation: N/A
Background & Purposes:

The University of British Columbia has responsibility for and is committed to providing its students, staff and faculty with an environment dedicated to excellence, equity and mutual respect; one that is free of Discrimination; and one in which the ability to freely work, live, examine, question, teach, learn, comment and criticize is protected. Academic Freedom and freedom of thought, belief, opinion and expression carries with it the expectation that all Members of the UBC Community will conduct themselves in a responsible manner so as not to cause, condone or participate in the Discrimination of another person or group of persons. UBC’s commitment to maintaining and respecting human rights at every level of the institution is central to this Policy.

The fundamental objectives of this Policy are to prevent Discrimination on grounds protected by the BC Human Rights Code, and to provide procedures for handling complaints, remedying situations, and imposing discipline when such Discrimination does occur. Concerns regarding discrimination or harassment that do not involve any of the grounds prohibited by the BC Human Rights Code are not covered by this Policy. Such concerns may be addressed by other UBC policies or procedures, or the UBC Statement on Respectful Environment for Students, Faculty and Staff, and collective agreements, employee handbooks, and student codes of conduct, and should be taken to the appropriate Administrative Head of Unit, student or employee association, union or human resources office.

1. General

1.1 UBC and all Members of the UBC Community share responsibility for ensuring and maintaining an environment that is free from Discrimination. UBC regards Discrimination as a serious offence that is subject to a wide range of remedial or disciplinary measures, including dismissal or expulsion from UBC.

1.2 The Equity & Inclusion Office is responsible for:

1.2.1 providing information, advice and assistance in a fair and impartial manner to Complainants, Respondents, or anyone else who has a concern about Discrimination related to UBC;
1.2.2 working with the relevant Administrative Head of Unit to address or resolve concerns of Discrimination in an informal manner, where possible;

1.2.3 initiating formal complaints of Discrimination, where appropriate; and

1.2.4 providing education to Members of the UBC Community and other UBC offices on the prevention and remediation of Discrimination, issuing guidance on the implementation and interpretation of this Policy and its Procedures, and publicly reporting in accordance with section 1.3.

1.3 Annually, the Equity & Inclusion Office will publicly report on the number of:

1.3.1 consultations with the Equity & Inclusion Office about matters of Discrimination;

1.3.2 formal complaints of Discrimination received by the Director of Investigations; and

1.3.3 formal complaints of Discrimination investigated or referred to an alternative dispute resolution process.

1.4 The Director of Investigations is responsible for investigating formal complaints of Discrimination that are filed under the Procedures.

1.5 UBC will not tolerate any retaliation, directly or indirectly, against anyone who, in good faith, complains, gives evidence or otherwise participates in a process under this Policy. UBC considers retaliation to be a serious matter because it prevents potential complainants, witnesses, and administrators from acting on their concerns.

1.6 This Policy should not be interpreted, administered or applied to infringe on Academic Freedom. Academic Freedom is a fundamental tenet of UBC. Academic Freedom includes the right to engage in free and full discussion, not only of ideas that are safe and accepted, but of those which may be unpopular and even abhorrent, and to make statements, assign readings or use instructional techniques that challenge and may even offend the sensibilities, ideas and beliefs of others. Members of the UBC Community, in exercising Academic Freedom, shall comply with the BC Human Rights Code.

2. Scope

2.1 This Policy addresses Discrimination on grounds protected by the BC Human Rights Code and to the individual areas to which the particular grounds relate. Under the BC Human Rights Code everyone has the right to be free from Discrimination based on the following personal characteristics (current as of the date of approval of this Policy): age (actual or perceived), ancestry, colour, family status, marital status, physical or mental disability, place of origin, political belief, race, religion, sex, sexual orientation, gender identity or expression, and criminal conviction unrelated to employment. In the UBC context, this right applies in the areas of publications, public services, tenancy, employment advertisements, wages, and employment.

2.2 The prohibited grounds under this Policy will be interpreted in the same manner as they are interpreted by the BC Human Rights Tribunal.
2.3 Allegations of sexual assault are to be addressed under the Sexual Misconduct Policy, and not this Policy. Allegations of sexual harassment will be reviewed by the Director of Investigations who will determine, based on the particular facts of the case and in consultation with the individual making the allegations, which policy is better suited to address the allegations.

2.4 Concerns that do not involve any of the grounds prohibited by the BC Human Rights Code are not covered by this Policy. Such concerns may be addressed by other UBC policies or procedures, or the UBC Statement on Respectful Environment for Students, Faculty and Staff, and collective agreements, employee handbooks, and student codes of conduct, and should be taken to the appropriate Administrative Head of Unit, student or employee association, union or human resources office.

2.5 Systemic discrimination is a form of Discrimination and, as such, a complaint of systemic Discrimination is to be made in the manner set out in the Procedures to this Policy.

2.6 Neither this Policy in general, nor its definitions in particular, are to be applied in such a way as to detract from the right and obligation of those in supervisory roles to manage and discipline employees and students.

3. Access to Other Processes and Multiple Complaints

3.1 The fact that a complaint is being pursued under this Policy does not preclude the Complainant from pursuing another UBC process, such as requesting an accommodation under the Disability Accommodation Policy, or a process outside of UBC, such as filing a complaint with the BC Human Rights Tribunal. If a complaint is being pursued under another process, the party conducting the process under this Policy may elect to continue with the process under this Policy or may elect to suspend the process until the outcome of the other process is determined.

3.2 Complainants who are members of faculty or staff unions may choose to proceed with a complaint under the provisions of their collective agreement rather than under this Policy. The Complainant may not concurrently pursue a complaint under both their collective agreement and this Policy.

4. Definitions

4.1 Academic Freedom is defined in the UBC Vancouver and UBC Okanagan calendars.

4.2 Administrative Head of Unit is any of the following: Director of a service unit; Head of an academic department; Director of a centre, institute or school; Principal of a college; Dean; Associate Vice-President; University Librarian; Registrar; Vice-President; Deputy Vice-Chancellor &and Principal; or President.

4.3 Complainant is an individual who has made a formal complaint of Discrimination under the Procedures.

4.4 Discrimination is intentional or unintentional conduct, which can be individual or systemic, that imposes burdens, obligations, or disadvantages on or limits access to opportunities, benefits
and advantages to specific individuals or groups as defined by the BC Human Rights Code and for which there is no bona fide and reasonable justification. Harassment that is related to one or more of the prohibited grounds of discrimination set out in the Human Rights Code is Discrimination under this Policy. Discrimination can involve individuals or groups, and it can occur during one incident or over a series of incidents including single incidents, which, in isolation, would not necessarily constitute discrimination. It is the impact on the Complainant, subject to the reasonable person test, and not the intent of the Respondent that defines the treatment as Discrimination. The reasonable person test refers to an assessment of responsibility that takes into account not only what the Complainant and Respondent actually experienced, knew, or understood about one another or the situation, but also what a reasonable person in each of their circumstances would or ought to have experienced, known, or understood.

4.5 Members of the UBC Community are individuals who fall under one or more of the following categories:

4.5.1 students, defined as individuals enrolled at UBC, including co-op and exchange students;

4.5.2 employees, including faculty and staff members;

4.5.3 holders of teaching appointments;

4.5.4 post-doctoral fellows; and

4.5.5 anyone contractually obligated to comply with this Policy.

4.6 Respondent is the person against whom an allegation of Discrimination has been made.
PROCEDURES ASSOCIATED WITH THE DISCRIMINATION POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Discrimination Policy.

1. General

1.1 Individuals exercising their authority and discretion under these Procedures will do so in conformity with the principles of procedural fairness in the university context.

1.2 If an individual exercising authority and discretion under these Procedures has a real or apparent conflict of interest in a particular matter, or there is a reasonable apprehension of bias, then that individual will not continue their involvement in the matter and UBC will appoint an appropriate individual to act in that role for the purposes of that matter. For certainty, participation of the individual in any informal or consultation process does not, of itself, constitute a conflict of interest or a reasonable apprehension of bias.

1.3 The Complainant and the Respondent may have a representative or support person present at any time during the process outlined under these Procedures. Members of unions and employee associations have all rights to representation that their collective agreements confer.

2. Confidentiality and Privacy

2.1 In order to protect the integrity, fairness, and effectiveness of the process under the Policy and this Procedure and to ensure compliance with the Freedom of Information and Protection of Privacy Act ("FIPPA"), all participants in the process must act in accordance with the requirements set out below.

2.2 Individuals, including the Complainant and the Respondent, who have obtained information about an identifiable individual ("Personal Information") through their participation in the process must not disclose this information to anybody except their own personal advisors or representatives, or as required by law. However, this section does not prevent:

2.2.1 any participants in the process from disclosing information about themselves, or information that they have obtained outside the process;

2.2.2 UBC representatives from disclosing process-related information as authorized under section 2.2.3; or
2.2.3 Complainants and Respondents from disclosing the information that they have received under sections 2.4 and 2.5.

2.3 UBC will not disclose any Personal Information related to the process except to the extent such disclosure is:

2.3.1 expressly authorized by the affected individual;

2.3.2 to a UBC representative, if necessary for the performance of that individual’s duties;

2.3.3 to a Complainant, Respondent, witness, or other participant in the process, if necessary for the conduct of the process;

2.3.4 to a Complainant or Respondent in accordance with sections 2.4 and 2.5;

2.3.5 authorized by the University Counsel for compelling health or safety reasons;

2.3.6 authorized by the University Counsel to correct misleading or inaccurate information if necessary to protect the integrity of the process or UBC’s investigatory processes; or

2.3.7 authorized or required under law, which for certainty shall include directions received from external agencies such as the BC Human Rights Tribunal.

2.4 To maintain the integrity of the process under this Policy, UBC must ensure that both Complainants and Respondents know the process findings and the evidence upon which these findings are based. The FIPPA may require UBC to remove Personal Information that is irrelevant to the process findings, or that identifies third parties. If there are multiple Complainants or multiple Respondents, they will only receive information that is relevant to them.

2.5 Under the FIPPA, UBC is only authorized to disclose disciplinary actions it has taken against the Respondent if the disclosure is authorized by the University Counsel for compelling health or safety reasons. For example, UBC will normally inform Complainants of any restrictions that may have been imposed upon the Respondent’s movements or activities.

2.6 Section 2.2 does not prevent Complainants and Respondents from disclosing the information they received under sections 2.4 and 2.5. However, Complainants or Respondents who choose to disclose such information should keep in mind that the disclosure of such information may result in a legal claim being made against them by the other party or other individuals (including, for example, a defamation or breach of privacy claim), and may wish to seek advice before doing so.

3. Consultations and Informal Resolution

3.1 Members of the UBC Community who have concerns about matters of Discrimination that relate to a Member of the UBC Community or to a UBC-sanctioned program, event or activity are strongly encouraged to consult with the Equity & Inclusion Office. Administrative Heads of Unit who become aware of such concerns should forward them to the Equity & Inclusion Office.
3.2 Such individuals may consult with the Equity & Inclusion Office anonymously. However, any information provided to this office anonymously or in a consultation-only capacity will not be independently substantiated, further investigated, or acted upon by this office unless the AVP, Equity & Inclusion determines that it would be appropriate to do so and initiates a complaint under section 4.2.3 below.

3.3 As part of this consultation process, the Equity & Inclusion Office may work with the relevant Administrative Head of Unit to resolve the concern informally. In doing so, this office should take into considerations all relevant factors, such as risks to health or safety, financial or logistical challenges, disruption of any collective agreements, and impact upon ability to deliver or meet requirements of the relevant course, program, or activity.

4. Making Formal Complaints

4.1 Those with concerns relating to matters of Discrimination must consult with the Equity & Inclusion Office before making a formal complaint under these Procedures. If the person with the concern believes that it was not satisfactorily addressed through consultation, that person may submit a formal complaint to the Director of Investigations. The Director of Investigations will provide a copy or summary of the complaint to the Equity & Inclusion Office.

4.2 Discrimination complaints may be made

4.2.1 by any Member of the UBC Community who is directly affected by the conduct that forms the basis of the complaint;

4.2.2 at the discretion of the Director of Investigations, by a non-Member of the UBC Community who is directly affected by the conduct that forms the basis of the complaint; and

4.2.3 by the AVP, Equity & Inclusion.

4.3 If the AVP, Equity & Inclusion initiates a complaint under section 4.2.3, they will act as the Complainant in the complaint proceedings under these Procedures. In such cases, the person directly affected by the conduct that forms the basis of the complaint, and/or the person who is the subject of the complaint, may be called upon as witnesses in the proceedings.

4.4 Complaints must be made in writing.

4.5 Complainants may withdraw from the complaint proceedings at any time. However, UBC’s responsibility to provide an environment free from Discrimination may obligate UBC to proceed regardless of the Complainant’s withdrawal.

4.6 The Director of Investigations has jurisdiction to investigate complaints in the following circumstances:

4.6.1 the complaint must have been made by an individual described in section 4.2;
4.6.2 the complaint must be either a complaint of systemic Discrimination by UBC or a complaint about Discrimination by a Respondent who was a Member of the UBC Community at the time the alleged Discrimination occurred and at the time the complaint was submitted;

4.6.3 the alleged conduct must fall within the definition of Discrimination; and

4.6.4 the complaint must have a real and substantial connection to UBC, as that term has been interpreted under BC law.

4.7 If the Director of Investigations determines that there is jurisdiction to investigate a complaint, the Director of Investigations may do any one or more of the following:

4.7.1 address the complaint under section 5 below; or

4.7.2 decline to proceed with the complaint on the grounds that

(a) the substance of the complaint has been appropriately dealt with in another proceeding;
(b) due to the amount of time that has elapsed since the alleged misconduct occurred, proceeding with the complaint now would result in substantial prejudice to any person; or
(c) for any reason it is unfair or otherwise inappropriate to proceed with the complaint.

4.8 If the Director of Investigations determines that there is no jurisdiction to investigate a complaint, the Director of Investigations will not accept the complaint and will take no further action under these Procedures, except as provided in section 4.9.

4.9 Where the Director of Investigations makes a decision under sections 4.7.2 or 4.8, the Director of Investigations will provide written reasons to the Complainant. The Director of Investigations will provide a copy of these reasons to the relevant Administrative Head of Unit and the Equity & Inclusion Office.

5. Managing Formal Complaints

5.1 If the Director of Investigations decides to address the complaint, the Complainant, relevant Administrative Head of Unit and the Equity & Inclusion Office will be notified and a copy or summary of the complaint will be provided to the Respondent, who will be invited to respond to the allegations contained in the complaint.

5.2 The Director of Investigations may manage the complaint using any means deemed appropriate in the circumstances, subject to the principles of procedural fairness in the university context. Such means may include, but are not limited to, the following:

5.2.1 suspending or discontinuing the proceedings;

5.2.2 consolidating multiple complaints so as to be addressed together;
5.2.3 recommending interim measures to preserve safety while a complaint is being investigated or resolved;

5.2.4 interviewing or requesting written submissions from the Complainant and/or the Respondent and/or any other individuals with information that may be useful;

5.2.5 consulting with other UBC offices or employees;

5.2.6 gathering documents relevant to the complaint;

5.2.7 referring the matter for mediation or other forms of alternative dispute resolution in accordance with sections 5.3 and 5.4; and/or

5.2.8 referring the matter for internal or external investigation.

5.3 If the Director of Investigations believes that an alternative dispute resolution process may be appropriate in the circumstances, they will discuss this option with the Complainant. If the Complainant agrees that an alternative resolution process may be appropriate, the Director of Investigations will discuss this option with the Respondent. If the Respondent agrees to participate in an alternative resolution process and the Director is satisfied that an alternative resolution process is appropriate, then the Director will explore the options available and, with the agreement of both parties, will refer the matter to that process for resolution.

5.4 Participation in an alternative dispute resolution process is entirely voluntary. If either the Complainant or the Respondent decides they no longer wish to participate in the alternative resolution process at any time, then the Director of Investigations will refer the complaint for investigation under these Procedures.

5.5 Where an investigation of the complaint has been conducted, at the completion of the investigation the investigator will prepare a written report ("Investigative Report") that will normally include the following information:

5.5.1 a summary of the evidence considered;

5.5.2 any assessment of credibility that is required to render a determination; and

5.5.3 the findings of facts, and a determination as to whether, on a balance of probabilities, Discrimination has occurred.

5.6 Both the Complainant and the Respondent are expected to participate in the complaint management process outlined above in a timely manner. In cases where the Complainant and/or the Respondent fails to participate within a reasonable time without appropriate justification, the process may proceed without their participation and an adverse inference may be drawn as a result of their failure to participate.
5.7 The complaint management process outlined above will normally be completed within 90 calendar days of the provision of the complaint to the Respondent. In the event that this timeline cannot be met, the Director of Investigations will contact the Complainant and Respondent as soon as possible to inform them of the revised timeline.

6. Resolving Formal Complaints

6.1 After addressing the complaint under section 5 above, the Director of Investigations may resolve the complaint and/or make recommendations as deemed appropriate in the circumstances. Such resolutions or recommendations may include, but are not limited to, the following:

6.1.1 resolving the complaint by consent of the Complainant and the Respondent, through mediation or any other means;

6.1.2 recommending such measures as may be appropriate to remedy the effects of Discrimination and restore the Complainant’s and/or Respondent’s unit to effective functioning;

6.1.3 recommending such measures as may be appropriate to remove systemic barriers and/or prevent Discrimination;

6.1.4 recommending to the appropriate Administrative Head of Unit the imposition of discipline on the Respondent or, in cases where the investigator determines that the complaint was made in bad faith or was frivolous, vexatious or malicious, on the Complainant;

6.1.5 recommending other remedies to the appropriate Administrative Head of Unit; and/or

6.1.6 dismissing the complaint.

6.2 No resolution of a complaint that may adversely affect the academic, employment, professional, or other interests of a party shall proceed without giving that party the opportunity to fully respond to the complaint.

6.3 The Director of Investigations will communicate the resolution and any recommendations, as well as a copy of any Investigative Report that has been prepared, to the appropriate Administrative Head of Unit and the AVP, Equity & Inclusion. In addition and subject to section 2 of these Procedures, the Director of Investigations may communicate any resolution and/or recommendations to the Complainant, Respondent and others whom the Director of Investigations determines ought to know under the circumstances.

6.4 The Administrative Head of Unit receiving the Investigative Report has the authority to determine the appropriate disciplinary and/or remedial measures needed to resolve or address the complaint, if any. The Administrative Head of Unit will provide a written report of the decision made and any measures taken to the Director of Investigations, the appropriate Dean and/or Head, and the Respondent. Disciplinary actions will not be disclosed to Complainants except in the limited circumstances set out in section 2.5 of these Procedures.
6.5 The Director of Investigations will conclude the investigatory process by ensuring all necessary communications are made to those responsible for implementing decisions, providing or adjusting support services and accommodations, providing education, or conducting administrative transactions.

7. Appeals

7.1 Students may appeal any discipline that is imposed under these Procedures through the UBC Vancouver Senate Student Appeals on Academic Discipline Committee or the UBC Okanagan Senate Appeals of Standing and Discipline Committee.

7.2 Staff or faculty may appeal any discipline that is made or imposed by the Administrative Head of Unit under these Procedures through the provisions of their collective agreements or their terms and conditions of employment.

7.3 The Complainant and/or the Respondent may also have recourse to processes outside of UBC, such as filing a complaint with the BC Human Rights Tribunal.
EXPLANATORY NOTES REGARDING THE
DISCRIMINATION POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Discrimination Policy. These Explanatory Notes do not replace or supersede the content of the Discrimination Policy and its Procedures.

Policy Long Title: Discrimination

Policy Short Title: Discrimination Policy

Policy Number: SC7

Responsible Executive: Vice-President, Human Resources
Provost and Vice-President Academic,
(UBC Vancouver)
Deputy Vice-Chancellor and Principal
(UBC Okanagan)

Responsible Board Committee: People, Community & International Committee

Related Policies:
- GA2 - Regulatory Framework Policy
- LR7 - Disability Accommodation Policy
- SC17 - Sexual Misconduct Policy

History:
- The Discrimination Policy was first approved by the Board of Governors in January 1995;
- The Discrimination Policy was revised in December 2016;
- The Discrimination Policy was revised in April 2019;
- The Discrimination Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Discrimination Policy, its long title is Discrimination, and its number is SC7. The previous identification number for this policy was #3.

Related Legislation:
- BC Human Rights Code R.S.B.C. 1996 c.120
- Freedom of Information and Protection of Privacy Act R.S.B.C. 1996 c.165
Background & Purposes:

The University aims to reduce the negative impact on the University community, property, and environment resulting from emergencies and disasters, and to expeditiously and efficiently restore academic programs and University operations.

1. General

1.1 The University shall develop and maintain a disaster management program based upon the elements of preparedness, response, recovery, and mitigation.

2. Preparedness

2.1 Preparedness means those measures undertaken in advance to ensure that individuals and agencies will be ready to react, such as emergency plans, mutual aid agreements, resource inventories, training, exercises, and emergency communications systems.

2.2 Preparedness shall consist of:

2.2.1 development and maintenance of a University Disaster Response Plan by the Department of Health, Safety and Environment;

2.2.2 development and maintenance of unit-based disaster plans by each academic and administrative unit;

2.2.3 development and maintenance of an Emergency Operations Centre by the Department of Health, Safety and Environment;

2.2.4 development and maintenance of unit-based plans and procedures for Business Continuity by each academic and administrative unit;

2.2.5 training and education of the University community with respect to all elements by the Department of Health, Safety and Environment; and
2.2.6 testing and exercise of the University Disaster Response Plan by the Department of Health, Safety and Environment.

2.3 In cooperation with the Emergency Preparedness Steering Committee and Department of Health, Safety and Environment, similar preparedness measures appropriate to the UBC Okanagan campus shall be enacted.

3. Response

3.1 Response means those measures undertaken immediately after an emergency or disaster has occurred and for a limited period of time thereafter, primarily to save human life, treat the injured, and prevent further injury and other forms of loss. They include response plan activation, opening and staffing of emergency operations centres, mobilization of resources, issuance of warnings and directions, provision of aid, and declaration of states of emergency.

3.2 Response shall consist of coordination by the Emergency Operations Centre of:

3.2.1 warning and evacuation;

3.2.2 emergency medical and social services;

3.2.3 search and rescue;

3.2.4 building or facility damage assessment; and

3.2.5 security and protection of property.

3.3 In cooperation with the Emergency Preparedness Steering Committee and Department of Health, Safety and Environment, similar response measures appropriate to the UBC Okanagan campus shall be enacted.

4. Recovery

4.1 Recovery means those measures undertaken to restore normal conditions. The time frame for recovery begins as soon as a reduction in critical response activities permits the re-allocation of resources to longer-term recovery activities. Recovery measures can extend over years, and could include physical restoration and reconstruction, financial assistance programs, counseling, temporary housing or relocation assistance, health and safety programs, and economic impact studies.

4.2 Recovery shall consist of:

4.2.1 plans for restoration of teaching and research activities;

4.2.2 plans for resumption of services; and
4.2.3 plans for repair or reconstruction of facilities.

5. Mitigation

5.1 *Mitigation* means those sustained measures and activities aimed at reducing or eliminating hazards associated with disasters, or lessening the impact of the event.

5.2 Mitigation shall consist of:

5.2.1 hazard and risk assessment;

5.2.2 prioritization of mitigation activities;

5.2.3 development and implementation of mitigation strategies; and

5.2.4 incorporation of Business Continuity programs into all operations.

6. Definitions

6.1 *Business Continuity* means the development of advance arrangements and procedures that enable the University to respond to an Emergency in such a manner that critical business functions continue.

6.2 *Disaster* means a calamity that:

6.2.1 is caused by accident, fire, explosion or technical failure or by the forces of nature; and

6.2.2 has resulted in serious harm to the health, safety or welfare of people or animals, or in widespread damage to property.

6.3 *Emergency means* a present or imminent event that:

6.3.1 is caused by accident, fire, explosion or technical failure or by the forces of nature; and

6.3.2 requires prompt coordination of action or special regulation of persons or property to protect health, safety or welfare of people or animals, or to limit damage to property.

6.4 *Emergency Operations Centre* means a central location for the key campus decision-makers, emergency planners, and services to direct, control, coordinate, and support emergency operations effectively.

6.5 *First Response Agencies* include the Vancouver Fire and Rescue Services, BC Ambulance, Royal Canadian Mounted Police, and UBC Campus Security for the UBC Okanagan campus and corresponding government agencies and University departments for other campuses.
6.6 *Service Units* means those units charged with conducting or delivering critical services to the University, specifically, Campus Security, ITS Services, Financial Services, Food Services, Health, Safety and Environment, Housing and Conferences, Human Resources, Land and Building Services, Public Affairs, Supply Management, Treasury, and Utilities for the UBC Okanagan campus and corresponding University departments for other campuses.
PROCEDURES ASSOCIATED WITH THE DISASTER MANAGEMENT POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Disaster Management Policy.

1. General

1.1 In the absence of the President of the University, the line of succession is set out in the Acting President Policy.

1.2 The key response activities, in the event of an emergency or disaster, rest with Service Units. These activities are detailed in the University Disaster Response Plan.

1.3 If a building evacuation or a fire alarm is activated, all occupants must evacuate as per the building Fire Safety Plan.

1.4 In the event of a disaster affecting the University, individuals should report to their immediate supervisor as soon as reasonably possible and await further instructions.

1.5 An Emergency Preparedness Steering Committee, reporting to the Vice-President, Finance, Resources and Operations, will develop and recommend policies, plans, and guidelines for Business Continuity, preparedness, response, recovery, and mitigation measures at the University. These measures will include preparation, approval, and evaluation of the University Disaster Response Plan, and recommendations on current and future needs for emergency and disaster preparedness. The Emergency Preparedness Steering Committee will be composed of representatives from the University community appointed by the Vice-President, Finance, Resources and Operations.

1.6 The University will develop, operate, and maintain an Emergency Operations Centre in accordance with requirements specified in the University Disaster Response Plan.

1.7 Service Units are responsible for developing and testing emergency plans as prescribed by the University Disaster Response Plan. Service Units are also responsible for participating in campus-wide emergency preparedness, response, and recovery activities.

1.8 The Department of Health, Safety and Environment will be responsible for providing training and education for the University community and for providing assistance to administrative heads of unit in developing unit emergency plans. The Department of Health, Safety and Environment is also responsible for coordinating campus-wide activities to exercise and test emergency and disaster response.
1.9 Administrative Heads of Unit are responsible for developing and testing emergency and Business Continuity plans that are applicable to the activities and operations of the unit. These plans, which must be tested at least annually, must include specific evacuation procedures and fire safety information as per the BC Fire Code.

1.10 The Provincial Emergency Program recommends that all individuals be prepared for emergencies at all locations, including in the workplace and at home. This includes preparing to meet individual needs for a period of up to 72 hours. The University encourages all personnel to undertake emergency preparedness measures, and supports this through the delivery of emergency preparedness workshops coordinated by the Department of Health, Safety and Environment.

1.11 Emergency and disaster preparedness issues that may have budgetary implications will be forwarded to the Vice-President responsible for the unit for approval of action, timing, and funding.

1.12 Reports on the status of disaster management will be brought, through the senior officers of the University, to the Board of Governors at its regular meetings. Emergencies of significant impact will be brought to the attention of the Chair of the Board of Governors by the President or his/her designate, immediately.

1.13 The University will maintain relations and share information with the Provincial Emergency Program, neighbouring municipalities, and first response agencies to ensure compatible emergency response plans.
EXPLANATORY NOTES REGARDING THE
DISASTER MANAGEMENT POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Disaster Management Policy. These Explanatory Notes do not replace or supersede the content of the Disaster Management Policy and its Procedures.

Policy Long Title: Disaster Management

Policy Short Title: Disaster Management Policy

Policy Number: SC10

Responsible Executive: Vice-President, Finance, Resources and Operations

Responsible Board Committee: Audit Committee

Related Policies: GA2 - Regulatory Framework Policy
GA1 - Acting President Policy

History:
- The Disaster Management Policy was first approved by the Board of Governors in May 2000;
- The Disaster Management Policy was revised in June 2005;
- The Disaster Management Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Disaster Management Policy, its long title is Disaster Management, and its number is SC10. The policy identification number for this policy was #8.

Related Legislation: N/A
Background & Purposes:

The Problem

UBC makes use of radio frequency bands for research, teaching and communication as part of its functions and duties. The UBC wireless network, provided by UBC IT, is part of UBC’s telecommunications and data network. Devices that operate in the same frequency bands as the UBC wireless network, such as wireless networking devices, cordless phones, microwave ovens, audio speakers, still cameras, video cameras, and other equipment, can interfere with the UBC wireless network, and can introduce performance, reliability, usability, sustainability, and security problems.

The Purpose

UBC IT has responsibility for the UBC wireless network and must be empowered to resolve electromagnetic interference with the UBC wireless network in order to ensure the highest level of service while minimizing support costs.

While interference can also be caused to teaching and research activities by non-university equipment or by the UBC wireless network this interference is to be resolved outside the scope of this policy.

1. Governing Principles

Where UBC IT provides wireless network connectivity reliability, usability, sustainability, security and cost are paramount to the user and the provider.

2. Scope

2.1 Locations and Devices Affected By This Policy

2.1.1 This policy governs the deployment and use of electronic devices that operate in any licence-exempt radio frequency band used for high-speed wireless network connectivity (which for the sake of clarity include the 2.400-2.483, 5.15-5.35, 5.470-5.725, and 5.725-5.825 GHz bands).
2.1.2 This policy applies in all areas where wireless access points installed by UBC IT provide wireless coverage, except as excluded elsewhere in this policy.

2.2 **Exclusions**

2.2.1 This policy does not apply where wireless coverage is not provided by UBC IT.

2.2.2 This policy does not apply to devices within a specific facility or area operated by the UBC Department of Housing and Conferences if:

(a) the affected area is entirely within the specific facility or area it operates; and

(b) the Director, or Director’s designee, of the UBC Department of Housing and Conferences determines that UBC IT wireless network connectivity is not required in the affected area.

2.2.3 This policy does not apply to devices in specific locations to the extent that the Associate Vice-President, Information Technology or his/her designee determines that wireless network security will not be compromised and reliable connectivity is not required in the affected area.

2.2.4 This policy does not apply to devices in specific locations to the extent that the Associate Vice-President, Information Technology and the Associate Vice-President, Research and Innovation, or their respective designees, determine that a device that is necessary to teaching or a research project is interfering with or subject to interference by:

(a) the UBC IT wireless network; and

(b) the interference is not reasonably resolvable other than by UBC IT disconnection of its access point at issue.

3. **Rights and Responsibilities**

3.1 If UBC IT detects electromagnetic interference with the UBC wireless network, or with teaching or research activities, it may act to identify and evaluate devices that might be causing the interference, and in doing so may request that any device capable of electromagnetic interference:

3.1.1 not be used and be disconnected and/or powered off until the interference is eliminated; or

3.1.2 be temporarily deposited with UBC IT for testing and evaluation.

3.2 If, after the procedures outlined in section 3.1, UBC IT determines that a device continues to interfere with the UBC wireless network, or with teaching or research activities, and is causing any of the following problems:
3.2.1 security or confidentiality concerns (which may include concern about theft of services);

3.2.2 reliability issues (which may include data loss, bandwidth, speed, coverage, up-time, and security); or

3.2.3 significant maintenance or operating costs;

then UBC IT may act to address the problem by:

3.2.4 disabling services or access points;

3.2.5 disconnecting the device or cables;

3.2.6 requiring removal of the device; and/or temporary deposit of the device with UBC IT; or

3.2.7 agreeing to undertake, at the request and cost of the owner or operator of the device, to alter the UBC wireless network or the device to address any of the problems outlined above.

3.3 UBC IT must return any device on deposit with it upon demand of the owner of the device. Devices on deposit with UBC IT for longer than 2 years will be deemed abandoned and surrendered to UBC IT.

4. Appeal Process

4.1 Anyone who is asked to remove a device, deposit a device with UBC IT, or pay related costs and has been unable to negotiate a satisfactory resolution with UBC IT, may appeal. Appeals are to be handled as follows:

4.1.1 Appeals are to be filed with the Responsible Executive or his/her designate(s).

4.1.2 Appeals are to be convened and heard by the Responsible Executive, or his/her designate(s), as arbitrator at a meeting of the relevant parties. The decision of the arbitrator will be final and binding.

4.1.3 The Responsible Executive may have more than one designate if he/she determines that local consideration of appeals at UBC Vancouver or UBC Okanagan campuses is desirable.

5. Definitions

In this policy the following terms have the meaning defined below, and shall have the same meaning in any administration and management procedures under this policy:
<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Responsible Executive</td>
<td>means: 1) the individual(s) specified under the heading “Responsible Executive” in the heading information table above section 1 of this policy; and 2) any person delegated to fulfill that person(s) role except to the extent that delegation is specifically excluded.</td>
</tr>
<tr>
<td>UBC</td>
<td>means: The University of British Columbia</td>
</tr>
<tr>
<td>UBC IT</td>
<td>means: The University of British Columbia Information Technology Department</td>
</tr>
</tbody>
</table>
EXPLANATORY NOTES REGARDING THE
WIRELESS NETWORK POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Wireless Network Policy. These Explanatory Notes do not replace or supersede the content of the Wireless Network Policy and its Procedures.

Policy Long Title: Management of the Wireless Network

Policy Short Title: Wireless Network Policy

Policy Number: SC11

Responsible Executive: Provost and Vice-President, Academic (UBC Vancouver)

Responsible Board Committee: Learning & Research Committee

Related Policies: SC14 - Information Systems Policy

Who Should Read This Policy: Generally:
- All units of UBC
- Students in UBC housing

Specifically:
- Responsible Executive
- Associate Vice-President, Information Technology
- Associate Vice-President, Research
- Associate Vice-President, Learning Services, UBC Okanagan
- Director of UBC Department of Housing and Conferences
- UBC IT

History:
- The Wireless Network Policy was first approved by the Board of Governors in January 2006;
- The Wireless Network Policy was updated in July 2019 to reflect the new policy identification system; it is currently identified as the Wireless Network Policy, its long title is Management of the Wireless Network, and its number is SC11. The previous identification number for this policy was #130.

Related Legislation: N/A
Background & Purposes:

UBC is a global university with internationalization as one of the core elements of its mission, and an increasing number of students undertake international travel for the purpose of study, research, work, volunteer and service learning as part of the UBC experience. Such activities can expose students to certain health and safety risks.

The purpose of this Policy is to set standards to enable safer student experiences abroad. This will be done by providing a process for approving student international travel for University Activities; by providing tools to enable the assessment of any risks associated with individual locations students may travel to for a University Activity; to enable the University to better respond to emergency situations; and by establishing risk management resources to enable student travelers to be informed of and manage the risks associated with travelling abroad.

1. Definitions

1.1 “Activity Sponsor” means with respect to a University Activity the UBC faculty or staff member who has actively organized or coordinated a University Activity, or if there is no such person, the Head of Unit.

1.2 “Head of Unit” is the head of the academic unit or the administrative unit that approves the University Activity, sponsors the University Activity or gives academic credit for the University Activity. Particular instances include:

1.2.1 In the case of travel sponsored by the Go Global Office, the Director of Go Global.

1.2.2 In the case of a Graduate Student enrolled in the Faculty of Graduate Studies (Vancouver Campus) or the College of Graduate Studies (Okanagan Campus):

(a) when the University Activity is related to a particular University course the Head of Unit is the Department Head of the Department offering the course, or the Dean of the Faculty offering the course if the Faculty does not have Departments.
(b) when the University Activity is non-course related the Head of Unit is the Dean of the Faculty of Graduate Studies (Vancouver Campus) or Dean of the College of Graduate Studies (Okanagan Campus).

1.2.3 In the case of a student enrolled in a Continuing Studies course the Head of Unit is the Executive Director, Continuing Studies.

1.3 “Student” means individuals enrolled in a program of study or registered in credit or non-credit courses at the University.

1.4 “University Activity” means any activity:

1.4.1 undertaken by a student to fulfill a requirement for academic progress at the University; or

1.4.2 officially organized by the University; or

1.4.3 paid for in whole or in part from University funds, including without limitation, third party research or other funds administered by the University.

University Activities do not include:

(a) activities sponsored or organized by student clubs or associations affiliated with the Alma Mater Society of UBC Vancouver, the Graduate Students Society or the Students’ Union of the University of British Columbia Okanagan; or

(b) activities organized solely by a student or group of students;

unless they otherwise meet the definition of University Activities.

2. Scope

2.1 This Policy applies to any Student travel outside of Canada in connection with a University Activity.

2.2 Faculty and staff are frequently approached by individual Students or groups of Students for advice regarding planned international travel. Faculty or staff providing advice to such Students should clarify with the Students at the outset whether or not such travel is for a University Activity and if so, inform the Students of their obligations pursuant to this Policy.

2.3 If any person is uncertain whether or not contemplated travel is considered to be for a University Activity pursuant to this Policy, they should consult with the Go Global Office for a determination.

2.4 All Students planning to travel abroad for a purpose other than a University Activity do so as private citizens. Such Students are solely responsible for making their own travel arrangements and making their own decisions regarding personal safety. While they are not required to comply with this Policy, such Students are nonetheless permitted and encouraged to voluntarily contact
Go Global for advice, support and/or registration of their travel arrangements with the Student Safety Abroad Registry.

3. Travel Planning and Responsibilities

3.1 The University provides resources and support services aimed at facilitating safe travel experiences for Student travelers. The University maintains the Go Global Office to, among other functions, educate Student travelers about health and safety issues, facilitate Student travel in a safe manner, and act as a resource for Student travelers, Activity Sponsors and Heads of Units. However, the University cannot ensure that Student travel will be problem free or account for all the potential health and safety risks that Students might experience while out of country.

3.2 All Student travelers have the primary responsibility to prepare themselves in advance of international travel, to research and be aware of the risks involved in their planned trip, to ensure that they are physically and mentally prepared for the travel, to ensure they have appropriate medical and other insurance for the travel, to conduct themselves in a safe manner while travelling, and to bring any concerns they may have to the attention of the senior University official at the place of travel (if any) as well as the Go Global Office as soon as possible after the concern arises.

3.3 Prior to participating in University Activities outside of Canada Students must register their travel plans with the University through the Go Global Office and obtain any authorizations to travel that are required in the Procedures to this Policy.

3.4 Any Student planning to travel for a University Activity who has concerns about their personal safety during the upcoming travel should identify their concerns with the Activity Sponsor and/or their Head of Unit as well as the Go Global Office who will work with the student to address the issue.

3.5 Where required by the Procedures, Activity Sponsors must consult with the Go Global Office regarding University Activities outside of Canada and must comply with the directions of the Go Global Office.

3.6 Each Head of Unit must consider applications for authorization to travel for Students participating in University Activities in accordance with this Policy and any accompanying Procedures.

3.7 The University has no control over international events, and will not be responsible to refund any costs or losses, including the loss of timely academic progress, associated with Student travel or the cancellation of Student travel. This will be the case whether:

3.7.1 the Student travel is not authorized pursuant to this Policy; or

3.7.2 authorization for travel is revoked pursuant to this Policy; or

3.7.3 the Student doesn’t travel because of concerns for personal safety.
PROCEDURES ASSOCIATED WITH THE
STUDENTS ABROAD POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Students Abroad Policy.

1. Definitions

1.1. “DFAIT” means the Canadian Department of Foreign Affairs and International Trade.

2. Travel Support

2.1. The Go Global Office provides support for the implementation of this Policy by:

2.1.1. Maintaining the UBC Student Safety Abroad Registry, including Student emergency contact information;

2.1.2. Staying informed of changing conditions as articulated in the DFAIT Travel Advisories and communicating these changes to affected University units and Students traveling abroad provided the Students are registered with Go Global in accordance with this Policy and these Procedures;

2.1.3. Working with Activity Sponsors, academic units and other programs to provide advice and assistance, particularly in cases where there is a Level 3 or 4 DFAIT Travel Advisory, and advising University authorities on decisions to restrict Student travel;

2.1.4. Working with academic units and other programs to assist when risk ratings change;

2.1.5. Offering pre-departure checklists, workshops and resource materials, and advising, to outgoing Student travelers.

3. Risk Rating System

3.1. The University relies upon the Risk Rating System established by DFAIT to assess whether or not Students should engage in University Activities in various regions of the world. The table below lists the DFAIT Ratings and the recommendations of DFAIT associated with them as well the level assigned to them when referred to in this Policy. The Risk Rating System is generated and maintained by DFAIT and other outside agencies. The Go Global website (http://www.students.ubc.ca/global/) provides a link to the DFAIT Travel Advisories but the
University is not responsible for the accuracy and content of the travel information provided by DFAIT.

<table>
<thead>
<tr>
<th>DFAIT Rating</th>
<th>Definitions</th>
<th>University Equivalent Travel Advisory Risk Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Exercise Normal Security Precautions”</td>
<td>There are no significant security concerns. DFAIT advises to exercise normal security precautions in this country or region.</td>
<td>Level 1</td>
</tr>
<tr>
<td>“Exercise High Degree of Caution”</td>
<td>There are identifiable security concerns, and travelers should be alert and vigilant to their surroundings. DFAIT advises to exercise a high degree of caution in this country – or in specified regions of this country.</td>
<td>Level 2</td>
</tr>
<tr>
<td>“Avoid Non-Essential Travel”</td>
<td>There is a specific security concern, and travelers should reconsider their need to travel at this time. DFAIT advises against non-essential travel to this country – or specified regions of this country. Travelers without essential reasons to be in this country or specified regions should leave.</td>
<td>Level 3</td>
</tr>
<tr>
<td>“Avoid All Travel”</td>
<td>There is an extreme risk to personal safety, and Canadians should not travel at this time. DFAIT advises against all travel to this country - or specified regions of this country. Canadians in this country or specified regions should leave.</td>
<td>Level 4</td>
</tr>
</tbody>
</table>

4. Travel to Level 1 “Exercise Normal Security Precautions” or Level 2 “Exercise High Degree of Caution” Travel Advisory Destinations

4.1 Students may travel for University Activities to locations with a DFAIT Travel Advisory of Level 1 or Level 2 provided that they comply with the conditions and requirements set out in the Policy and these Procedures (see for example the requirements in Article 10 of the Procedures). Provided they comply with the conditions and requirements set out in this Policy they are not required to seek authorization for such travel pursuant to this Policy.

5. Authorization for Travel to Level 3 “Avoid Non-Essential Travel” or Level 4 “Avoid All Travel” Travel Advisory Destinations

5.1 The University will not authorize Student travel to a country or region of a country with a Level 3 or a Level 4 Travel Advisory to engage in a University Activity unless exceptional circumstances exist. If a Student believes exceptional circumstances exist to justify the University giving the Student a special authorization, he or she may apply for special authorization as outlined in Article 5.2 of these Procedures.

5.2 A Student seeking special authorization to travel in a country or region of a country with a DFAIT Level 3 or Level 4 Travel Advisory must apply to their Head of Unit to seek authorization following the process provided by Go Global, within the timeframes stipulated by Go Global.
The Go Global website at [http://www.students.ubc.ca/global/](http://www.students.ubc.ca/global/) outlines the process needed to apply to the Head of Unit, and the timelines for such application.

5.3 It is the responsibility of the Head of Unit to determine whether to grant or to decline to grant the authorization requested in Article 5.2 of these Procedures. Such determination must be made using the process outlined on the Go Global website which will include notification to the Student. Before approving this travel the Head of Unit must consult with the Go Global Office, and at a minimum, be satisfied that:

5.3.1. The travel has the written support of the Activity Sponsor;

5.3.2. The travel has the written support of the Go Global Office;

5.3.3. For a Student under the age of 19 years, the trip has the written support of the Student’s parents or legal guardians;

5.3.4. The travel is academically necessary for the Student and if not carried out at the proposed location and time there will be serious negative consequences for the Student’s academic program;

5.3.5. The Activity Sponsor or Student has submitted a risk assessment and emergency planning document which has been developed in consultation with the Go Global Office and which is deemed by the Go Global Office as satisfactory;

5.3.6. The Activity Sponsor or Student can demonstrate that the Student has taken adequate steps to mitigate risks at the location and will have adequate support and guidance while in the region. In making this assessment the Head of Unit should consider the Student’s experience and background in the region, whether a University employee is travelling with the Student and/or whether the Student is travelling with an established local organization with expertise in providing safe travel within the region;

5.3.7. If the travel is to a region of a country with a Level 4 Travel Advisory, the travel has written support of the Dean of the Student’s Faculty;

Special authorizations of this nature will only be granted in exceptional circumstances. The fact that the conditions listed above have been met does not create any entitlement to a special authorization from the Head of Unit.

6. Revocation of Authorization

6.1 Notwithstanding a decision made by the Head of Unit pursuant to Article 5.3 of these Procedures to authorize travel for a particular Student, the Academic Responsible Executive or his or her delegate (with respect to University Activities that that receive academic credit), or the Vice President Students or his or her delegate (for non-credit bearing University Activities), may review a Student’s application for authorization and may decide to revoke such authorization for the Student to travel as a result of safety concerns. Such determination must be made in writing and sent to the Head of Unit, the Student and the Go Global Office. For the purposes of this Article the Academic Responsible Executive with respect to Students registered in courses
at the University’s Vancouver Campus is the Provost and Vice-Vice-President, Academic (UBC Vancouver), and the Academic Responsible Executive with respect to students registered in courses at the University’s Okanagan Campus is the Deputy Vice Chancellor and Principal Provost and Vice-President, Academic (UBC Okanagan).

7. Changes to Risk Ratings

7.1. Should the DFAIT Travel Advisory Risk Rating of a country or region of a country be increased while Students are participating in University Activities, Go Global will advise Students registered in the Student Safety Abroad Registry and the appropriate Head of Unit. In this situation Students are required to follow the direction of the University, and leave the region or country if instructed by the University to do so. Students who refuse to follow the instructions of the University will be considered to be on unauthorized travel and will be subject to the provisions of Article 8 of the Procedures.

7.2. The Go Global Office may, when it is in receipt of compelling information that a country or region of a country presents a material increased risk to travelers, may determine that a country or region of a country has a higher risk Level for the purposes of this Policy, notwithstanding that DFAIT has not done so. In such cases this Policy will apply as if such country or region of country has such higher risk Level, and Go Global shall take steps to communicate this decision to appropriate persons in the University community. Nothing in this Article 7.2 shall act to create an obligation on the part of the University to independently assess risk levels in other countries in any particular case.

8. Unauthorized Travel

8.1. Where the University has not authorized Student travel for a University Activity, or where such authorization has been revoked as a result of safety concerns, then if the Student undertakes the travel, he or she will be considered to be travelling as a private citizen and may not hold himself or herself out as travelling for a University Activity.

8.2. No University resources can be used, or University sponsorship provided, in support of unauthorized Student travel for a University Activity. In the event the University becomes aware of such unauthorized travel the Head of Unit may, at his or her discretion, take any of the following measures:

8.2.1. suspend or cancel the University Activity or the Student’s participation in the University Activity;

8.2.2. suspend or cancel any funding to the Student from sources controlled by the University;

8.2.3. subject to applicable laws, and with the approval of the University’s Access and Privacy Manager,

(a) advise third parties of the Student’s situation (for example government agencies, or the parents, guardians or next of kin of the Student);
(b) advise third parties that the Student is not travelling under the auspices of the University or with the authorization of the University;

8.2.4. if the Head of Unit is the head of an academic unit;

(a) with the approval of the Dean of the relevant Faculty, withdraw the Student from registration in, or place the Student on leave from, any course or program related to the travel;

(b) with the approval of the Dean of the relevant Faculty, decline to award academic credit for activities undertaken while travelling;

(c) determine that any research conducted while traveling may not be used as a means of meeting a degree requirement at the University.

8.2.5. impose such other restrictions as the Head of Unit feels are warranted by the situation.

8.3. When making a decision pursuant to Article 8.2, a Head of Unit must consider any information that has been received by the Head of Unit from the Student.

8.4. Decisions made pursuant to Article 8.2.4 may be subject to appeal within the Student’s Faculty and can be ultimately appealed to the appropriate committee of Senate that has jurisdiction.

9. Requirements to Report Problems

9.1. UBC staff and faculty must report significant problems related to the health and safety of Students abroad to the Head of Unit as soon as possible after learning of the problem. The Head of Unit is then required to consult with the Director of Go Global in determining how best to support the Student;

9.2. UBC Students should report any concerns or problems related to their own health and safety abroad to the senior University official in the place of travel (if any) and to the Go Global Office as soon as possible during their travel;

9.3. The Go Global Office will provide the Student with access to all relevant UBC resources, and where necessary, will coordinate a response to any problem and notify the appropriate University officials.

10. General Travel Procedures

10.1. Any Student who travels for a University Activity abroad must register in the Student Safety Abroad Registry maintained by the Go Global Office and comply with any other requirements issued by the Go Global Office.

10.2. All Students with Canadian citizenship are required to register in the DFAIT “Registry of Canadians Abroad” system prior to undertaking travel outside of Canada for a University Activity. Students who hold other citizenships can still register in this system, and may also wish to register with the consulate of their home country.
10.3. Students traveling outside of Canada for a University Activity to destinations with a Level 1 Travel Advisory are required to complete the online pre-departure health and safety checklist offered through the Go Global Office.

10.4. Students traveling outside of Canada for a University Activity to locations with a Level 2 “Exercise High Degree of Caution” Travel Advisory are required to complete the online pre-departure health and safety workshop, offered through the Go Global Office and must sign the Level 2 Student Mobility Agreement.

10.5. Students who have been authorized to travel outside of Canada for a University Activity to locations with a DFAIT Level 3 “Avoid Non-Essential Travel” Travel Advisory or a DFAIT Level 4 “Avoid All Travel” Travel Advisory pursuant to this Policy must meet the conditions outlined in Article 5.3 of the Procedures, must work with Go Global to complete a Safety Planning Record and emergency plan, must complete an in-person pre-departure health and safety briefing, and must sign the Level 3 Student Mobility Agreement or Level 4 Student Mobility Agreements, as appropriate.

10.6. Go Global will keep a copy of all written authorizations granted by Head of Units, as well as refusals to authorize travel made by Head of Units, as well as the risk assessment and emergency plan developed for each Student traveler.
EXPLANATORY NOTES REGARDING THE
STUDENTS ABROAD POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Students Abroad Policy. These Explanatory Notes do not replace or supersede the content of the Students Abroad Policy and its Procedures.

Policy Long Title: Student Safety Abroad

Policy Short Title: Students Abroad Policy

Policy Number: SC12

Responsible Executive: Vice-President, Students
Deputy Vice-Chancellor and Principal, (UBC Okanagan Campus)

Responsible Board Committee: People, Community & International Committee

Related Policies: GA2 - Regulatory Framework Policy

History:
- The Students Abroad Policy was first approved by the Board of Governors in February 2010;
- The Students Abroad Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Students Abroad Policy, its long title is Student Safety Abroad, and its number is SC12. The previous identification number for this policy was #69.

Related Legislation: N/A
The University strives to provide a welcoming environment in which all individuals can visit, work and study without threat to personal safety or property, or disruption. When such threats or disruption occur it is important that the University act to control such behaviour promptly and effectively. This policy outlines procedures for the University community to follow when faced with behaviour that threatens personal safety or property, or disrupts lawful or legitimate activities.

1. **Response to At-Risk Behaviour**

   1.1 Members of the University community who encounter At-Risk Behaviour, which includes behaviour that threatens personal safety or property, or disrupts lawful or legitimate activities, must follow the Procedures associated with this Policy.
PROCEDURES ASSOCIATED WITH THE 
AT-RISK BEHAVIOUR POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the At-Risk Behaviour Policy.

1. Definitions

1.1 “At-Risk Behaviour” means behaviour that:

1.1.1 disrupts lawful and legitimate activities on University Premises; or

1.1.2 leads to a reasonable belief that the safety or security of any person(s) on University Premises is threatened; or

1.1.3 leads to a reasonable belief that the safety of property of the University or another person located on University Premises is threatened; or

1.1.4 leads to a reasonable belief that the individual engaging in the behaviour is at imminent risk of harm to himself or herself; or

1.1.5 leads to a reasonable belief that there is a threat to the safety or security of any person(s) on University Premises whether or not such threat was communicated to such person(s).

1.2 “Campus Security” means the UBC Okanagan Department of Parking and Campus Security or the UBC Vancouver Department of Campus Security, as appropriate.

1.3 “Director of Campus Security” means the Director of Campus Security and Parking Services, UBC Okanagan, or the Director of Campus Security, UBC Vancouver, as appropriate.

1.4 “Director, Health, Safety and Environment” means the Director of the Department of Health, Safety and Environment, UBC Okanagan or the Manager, Occupational Health and Research Safety of the Risk Management Services Department, UBC Vancouver, as appropriate.

1.5 “Disaster Response Plan” means the plans contemplated under the Disaster Management Policy that are in place for dealing with campus-wide emergencies at UBC Okanagan or UBC Vancouver, as appropriate.
1.6 “Emergency” means a situation where At-Risk Behaviour leads to a reasonable belief that the University must take immediate action to protect the safety and security of any property or person(s) on University Premises.

1.7 “Head of Student Affairs” means:

1.7.1 The Vice-President, Students (UBC Vancouver); or

1.7.2 The Associate Vice-President, Students (UBC Okanagan) as appropriate.

1.8 “Health, Safety and Environment” means the Department of Health Safety and Environment, UBC Okanagan or the division responsible for workplace health and safety in the Risk Management Services Department of UBC Vancouver, as appropriate.

1.9 “Provost / Principal” means:

1.9.1 the Provost and Vice-President, Academic (UBC Vancouver); or

1.9.2 the Provost and Vice-President, Academic Deputy Vice-Chancellor and Principal (UBC Okanagan) as appropriate.

1.10 “Restrictions” means any restrictions on a person’s ability to enter upon or to carry out activities upon University Premises, or their ability to use University facilities, including but not limited to:

1.10.1 the exclusion of one or more persons from all or any part of University Premises;

1.10.2 the prohibition of or the implementation of controls over any activities that one or more persons may undertake on University Premises;

1.10.3 the prohibition of access to or implementation of controls over any facilities operated by the University, including without limitation computer and communication systems.

1.11 “University Premises” means lands and premises in which the University has a property interest or over which the University otherwise exercises jurisdiction or control.

1.12 “University Student” means a person who is presently enrolled at the University in a credit course.

2. Implementation

2.1 The Associate Vice-President, Human Resources, the Head of Student Affairs, and the Provost / Principal may delegate all or any portion of their authority to act or to make any decision contemplated by this Policy to one or more persons, provided the delegation is made in writing. The Associate Vice-President, Human Resources will ensure that a person is present on the Vancouver Campus and the Okanagan Campus who has the authority to exercise his or her powers pursuant to this Policy.
2.2 Where a person reasonably believes that a University Student or University employee is at risk of harm to himself or herself, but does not believe the risk of such harm is imminent, appropriate assistance and support should be offered to such person. For assistance with these matters please contact the following offices:

2.2.1 Regarding Students of UBC Okanagan Department of Student Health and Wellness

2.2.2 Regarding Students of UBC Vancouver Student Development and Services, Office of Vice-President Students

2.2.3 Regarding Staff and Faculty of UBC Okanagan Department of Human Resources

2.2.4 Regarding Staff of UBC Vancouver Department of Human Resources

2.2.5 Regarding Faculty of UBC Vancouver Faculty Relations

3. Responding to Emergencies

3.1 At-Risk Behaviour may or may not result in an Emergency. Where an Emergency does arise, any member of the University community who becomes aware of an Emergency should follow these steps:

3.1.1 Wherever possible, get to a safe location and alert those nearby. The first priority is personal safety. Lives take precedence over property.

3.1.2 Dial 911 to contact the police. The individual should provide his/her location and complete details of the Emergency.

3.1.3 Report the Emergency to either UBC Okanagan Campus Security ((250) 807-8111) or UBC Vancouver Campus Security ((604) 822-2222), as appropriate.

3.2 Once Campus Security staff become aware of an Emergency, Campus Security staff will liaise with the police to check whether they have been notified, and if so whether the Emergency has been resolved by the police, and to ascertain whether any further action is required. If the Emergency is unresolved, Campus Security staff will engage with any appropriate agencies and are authorized to implement such Restrictions on behalf of the University as are necessary to respond to the Emergency. Units and employees of the University must provide Campus Security with any requested information if such information is requested to assist Campus Security manage an Emergency.

3.3 Where Restrictions are imposed or reviewed pursuant to Articles 3.4, 4.3, 4.4, 4.5 or 4.6 of these Procedures, such Restrictions must be, in the opinion of the decision maker, reasonably necessary to properly respond to the At-Risk Behaviour or Emergency and consideration must be given to balancing the interests of both the individual exhibiting the At-Risk Behaviour and the legitimate interests of the University and other members of the University community. Consideration should also be given to the University's commitment to freedom of expression.
and academic freedom. The Office of the University Counsel should be consulted for guidance where appropriate before imposing a Restriction.

3.4 Any Restrictions imposed pursuant to Article 3.2 of these Procedures must be reviewed as soon as practicable and adjusted as appropriate by the Director of Campus Security, or another manager who has been delegated this authority in writing by the Director of Campus Security.

3.5 Where the Emergency calls for action under the Disaster Response Plan, Campus Security will notify the relevant persons as set out in the Disaster Response Plan and decision-making authority for responding to the Emergency will be transferred to such person or persons as set out in the Disaster Response Plan.

3.6 Campus Security should take steps, as soon as reasonably practicable, to notify persons who have been threatened or impacted by At-Risk-Behaviour of the status of any threats and University response. The Office of the University Counsel should be consulted where appropriate regarding any privacy considerations with respect to such notifications.

4. General Provisions for Handling Non-Emergency or Post-Emergencies

4.1 Where At-Risk Behaviour has not resulted in an Emergency or the Emergency has been resolved under Article 3.0 of these Procedures, the At-Risk Behaviour must be referred to Campus Security for assessment and management pursuant to this Policy. Where the At-Risk Behaviour might pose a threat to any University employees, Campus Security will notify Health, Safety and Environment of the At-Risk-Behaviour and the Director, Health, Safety and Environment will be responsible for managing the University's compliance with the Workers Compensation Act and regulations.

4.2 Unless and until modified or rescinded in writing as provided in Articles 4.3 through 4.6 of these Procedures, all Restrictions implemented under Article 3.0 of these Procedures will remain in effect.

4.3 Where the individual exhibiting the At-Risk Behaviour is a University employee, Campus Security will refer the matter to the Associate Vice-President, Human Resources, who will assume responsibility for responding to the At-Risk Behaviour appropriately and in a manner that is consistent with any applicable employment laws, contracts or collective agreements. The Associate Vice-President, Human Resources, must review any existing Restrictions affecting the University employee as soon as is reasonably practicable and may maintain, modify or rescind any such Restrictions or impose new Restrictions.

4.4 Where the individual exhibiting the At-Risk Behaviour is a University Student, Campus Security will refer the matter to the Head of Student Affairs, who will assume responsibility for responding to the At-Risk Behaviour appropriately. The Head of Student Affairs must review any existing Restrictions affecting the University Student as soon as is reasonably practicable and may maintain, modify or rescind any such existing Restrictions or impose new Restrictions.

4.5 Where the individual exhibiting the At-Risk Behaviour is both a University employee and a University Student, Campus Security will refer the matter to both the Associate Vice-President, Human Resources, and the Head of Student Affairs, who will each assume responsibility for
responding to the At-Risk Behaviour in accordance with this Policy. In such situation, the Associate Vice-President, Human Resources, and the Head of Student Affairs will coordinate their activities, which may include determining that only one of them is necessary to manage the situation. The Associate Vice-President, Human Resources, and the Vice-President, Students, must review any existing Restrictions affecting the University Student as soon as is reasonably practicable and maintain, modify or rescind any existing Restrictions or impose new Restrictions provided that they consult with each other prior to doing so to ensure their actions are coordinated.

4.6 Where the individual exhibiting the At-Risk Behaviour is neither a University employee nor a University Student, or the individual’s status has not yet been determined, Campus Security will retain jurisdiction over the matter and will be responsible for ensuring that the At-Risk Behaviour is responded to in a manner that is consistent with the University's general legal obligations. The Director of Campus Security may modify or rescind existing Restrictions or impose new Restrictions.

4.7 Where the Associate Vice-President, Human Resources, and/or the Head of Student Affairs have assumed responsibility for responding to At-Risk Behaviour pursuant to Article 4.3, 4.4, or 4.5 of these Procedures, they will keep Campus Security informed of the status of the matter and any Restrictions that they may have implemented, modified or rescinded in respect of such matter. The Director of Campus Security, or his or her designate, will be available as a resource for the Associate Vice-President, Human Resources, and/or the Head of Student Affairs, to consult with regarding the matters contemplated in this Policy.

5. Special Provisions for Students

5.1 The implementation of Restrictions in respect of a University Student pursuant to Article 4.4 or 4.5 of these Procedures is not a disciplinary action and is intended to be an interim measure pending a final resolution of the At-Risk Behaviour. However, the implementation of Restrictions may nonetheless affect the ability of a University Student to continue with his or her studies at the University. If it appears that Restrictions that would materially affect the University Student’s ability to continue with his or her studies will need to be maintained for more than 21 days, then:

5.1.1 if the At-Risk Behaviour or some component of the At-Risk Behaviour appears to constitute misconduct, the Head of Student Affairs will consult with the person responsible for managing that process, and if that person agrees, refer the matter to be handled as a misconduct case pursuant to section 61 of the University Act, in which case the Restrictions will be automatically rescinded upon a decision being made by the President and replaced by whatever discipline, if any, that may be imposed by the President; or

5.1.2 if the At-Risk Behaviour is not referred as a misconduct case pursuant to Article 5.1.1 of these Procedures, the Head of Student Affairs will undertake an investigation pursuant to Article 5.2 of these Procedures to ascertain what, if any, Restrictions need to be taken on an ongoing basis to manage the At-Risk Behaviour or its consequences, in which case the Restrictions will be automatically rescinded and replaced by whatever Restrictions are determined to be necessary pursuant to Articles 5.2 and 5.3 of these Procedures.
5.2 Where an investigation is required under Article 5.1.2 of these Procedures, the Head of Student Affairs may conduct the investigation as he or she deems appropriate and will seek advice from the Office of the University Counsel where appropriate. Without limiting the generality of the foregoing:

5.2.1 the University Student exhibiting the At-Risk Behaviour will normally be given notice of the investigation and an opportunity to present information to be considered in the course of the investigation;

5.2.2 other University officers, employees, and external consultants or professionals may be consulted in the course of the investigation;

5.2.3 witnesses or other members of the University community who may have relevant information may be asked to provide information in the course of the investigation;

5.2.4 the Head of Student Affairs may require information or advice to be provided in writing, in person, by teleconference, or in any other manner that he or she deems appropriate;

5.2.5 where the University Student does not comply with the requirements of the Head of Student Affairs, the Head of Student Affairs may proceed without the further involvement of the University Student and the refusal of a University Student to comply with the requirements of the Head of Student Affairs may constitute a misconduct case to be dealt with pursuant to section 61 of the University Act.

5.3 Upon completion of an investigation pursuant to Article 5.1.2 of these Procedures, the Head of Student Affairs will make a finding, based on a balance of probabilities, regarding whether the University Student engaged in the At-Risk Behaviour, and if so, may modify or rescind existing Restrictions on a University Student or impose new Restrictions. These Restrictions may be imposed permanently or for a period of time, and they may provide for any steps required of the University Student should the University Student be entitled to apply to remove the Restrictions at a later date. If the Head of Student Affairs does not find that the University Student engaged in the At-Risk Behaviour, the Head of Student Affairs will remove any Restrictions on the Student.

5.4 The Head of Student Affairs will provide the University Student with a written decision which will include a summary of his or her findings.

5.5 If the Head of Student Affairs has imposed Restrictions on a University Student pursuant to Article 5.3 of these Procedures, the University Student may request a review of the decision of the Head of Student Affairs. The review will be carried out by the Provost / Principal. The following provisions will apply to such review:

5.5.1 The University Student must provide the Provost / Principal with his or her request for review in writing within 14 days of the decision of the Head of Student Affairs pursuant to Article 5.4 of these Procedures. The request for review will state the University Student's concerns regarding the decision of the Head of Student Affairs and will include any documentation upon which the University Student wishes to rely.
5.5.2 The Provost / Principal may modify the decision of the Head of Student Affairs and modify any Restrictions if:

(a) the Provost / Principal determines that, based upon the evidence considered by the Head of Student Affairs, the decision of the Head of Student Affairs, or the Restrictions imposed by the Vice-President, are unreasonable; or

(b) the Provost / Principal is provided with new information that was not reasonably available at the time the decision of the Head of Student Affairs made his or her decision and such information, in the opinion of the Provost / Principal, would have changed the decision of the Head of Student Affairs if it had been considered by the Head of Student Affairs.

5.5.3 The Provost / Principal will review the request for review of the University Student, and may solicit a written response from the Head of Student Affairs. The Provost / Principal will not rehear the matter or conduct a new investigation into the matter.

5.5.4 Any Restrictions imposed on the University Student will remain in force until such time as the Provost / Principal has provided his or her written decision regarding the request for review.

5.5.5 The Provost / Principal may accept a request for review pursuant to Article 5.5.1 later than 14 days from the decision of the Head of Student Affairs if the Provost / Principal is satisfied, in his or her absolute discretion, that the Student was unable to provide it within 14 days.

5.5.6 The Provost / Principal may establish a process to follow with respect to requests for reviews, provided that such process is consistent with this Policy. Different processes may be put in place for UBC Vancouver and UBC Okanagan.

6. General

6.1 Nothing in this Policy detracts from the powers of the University and nothing in this Policy shall act to limit or diminish any power or authority that may be exercised by the employees or agents of the University. Without limiting the generality of the forgoing, nothing in this Policy restricts or governs:

6.1.1 the authority of the University administration to manage student residences, faculty housing, and staff housing on University Premises in accordance with the procedures for those facilities;

6.1.2 the authority of a faculty member to manage conduct in his or her classroom; or

6.1.3 the authority of any representatives of the University to carry out their day to day responsibilities, including their ability to require people to immediately leave any part of University Premises under their authority.
6.2 The exercise of powers pursuant to this Policy does not preclude proceedings being taken regarding the same facts pursuant to other University processes, the criminal justice system, or civil law proceedings.

6.3 Nothing in this Policy requires employees of the University to disclose information, where such disclosure would:

6.3.1 be in violation of the *Freedom of Information and Protection of Privacy Act*; or

6.3.2 cause an employee who has a professional designation in the medical or mental health fields to breach the code of ethics governing their profession.

6.4 Nothing in this Policy is intended to restrict the lawful exercise of employee rights.
EXPLANATORY NOTES REGARDING THE
AT-RISK BEHAVIOUR POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the At-Risk Behaviour Policy. These Explanatory Notes do not replace or supersede the content of the At-Risk Behaviour Policy and its Procedures.

Policy Long Title: Response to At-Risk Behaviour

Policy Short Title: At-Risk Behaviour Policy

Policy Number: SC13

Responsible Executive: Vice-President, Students
Vice-President, Human Resources

Responsible Board Committee: People, Community & International Committee

Related Policies: GA2 - Regulatory Framework Policy
SC10 - Disaster Management Policy

History:
• The At-Risk Behaviour Policy was first approved by the Board of Governors in June 2011;
• The At-Risk Behaviour Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the At-Risk Behaviour Policy, its long title is Response to At-Risk Behaviour, and its number is SC13. The previous identification number for this policy was #14.

Related Legislation: University Act R.S.B.C. 1996, c.468
Freedom of Information and Protection of Privacy Act
The University of British Columbia
Board of Governors

Policy No.:
SC15

Long Title:
Internal Audit, Investigations, and Financial Whistleblower

Short Title:
Financial Investigations Policy

Background & Purposes:

The University of British Columbia (“UBC”) administers large volumes of funds for research, teaching, operations, and other UBC related purposes and is committed to maintaining sound management of its resources with integrity and honesty. Improper Financial Activity (as herein defined) is contrary to UBC’s values, and damages UBC’s reputation and ability to carry out its mission. Therefore, UBC has in place a strong system of internal control, and other checks and balances, and continually strives for transparency and accountability throughout its operations.

The purpose of this Policy is to define the mandate of Internal Audit’s audit and investigation responsibilities; and to communicate the process that should be followed by any UBC Member (as herein defined) who has a good faith concern regarding Improper Financial Activity.

1. General

1.1 UBC demonstrates its commitment to promoting and maintaining a fiscally responsible and ethical university environment by:

1.1.1 affirming its expectation that all UBC Members act in the best interest of UBC with respect to their financial and operational responsibilities, as set forth herein;

1.1.2 fostering an atmosphere where UBC Members are confident that UBC will not tolerate any acts of intimidation, harassment, discipline, or retaliation against a UBC Member, including without limitation any demotion, suspension, termination, or any action, whether actual or threatened, that adversely affects the employment or the learning environment of any UBC Member at UBC (collectively, referred to herein as an “Act of Retaliation”), as a result of such UBC Member reporting a good faith concern in accordance with Section 4 of this Policy; and

1.1.3 establishing and adhering to the appropriate procedures for audits and investigations by Internal Audit in order to provide independent and objective assurances of UBC’s operations; to identify and prevent Improper Financial Activity; and including without limitation, to support both the Internal Audit Mandate and the Internal Investigation Mandate as set forth herein.
2. **Scope**

2.1 This Policy applies to all of UBC’s full-time and part-time faculty, staff, and, students (including, without limitation, clinical faculty, visiting professors, and any person enrolled in any degree, non-degree, diploma, certificate granting or residency programs at UBC), or any person who teaches, conducts research, or works at, or under the auspices of UBC (collectively referred to herein as a “UBC Member”).

2.2 Any provision contained herein which is intended to protect against any Act of Retaliation, will only apply to UBC Members reporting any Improper Financial Activity in good faith and in accordance with this Policy. This Policy is subject to any laws or regulations, collective agreements, or other policies and procedures applicable to UBC.

3. **Improper Financial Activity**

3.1 UBC will not tolerate Improper Financial Activity. All UBC Members, regardless of rank, title, or position, have stewardship responsibilities with regards to UBC’s funds or assets and will not, either directly or indirectly, permit or participate in any improper financial act or omission, by deception or fraud, whether or not in contravention of UBC’s policies and procedures or applicable laws (“Improper Financial Activity”).

3.2 Examples of Improper Financial Activity include but are not limited to the following:

3.2.1 misappropriation, misapplication or theft of UBC’s funds, securities, supplies, inventory, furniture, fixtures or equipment, trade secrets and intellectual property or services;

3.2.2 any breach of a finance-related fiduciary duty or obligation of confidentiality;

3.2.3 forgery, falsification, or alteration of any finance-related documents or records (e.g. cheques, bank drafts, promissory notes, work/employment records, travel expense reports, contractor agreements, purchase orders, electronic files, etc.);

3.2.4 deviations or violations from standards contained in UBC’s policies and procedures in the handling or reporting of money, cash equivalents, or financial transactions, including procurement cards (e.g. making personal purchases using UBC credit cards or seeking multiple reimbursements for a single expenditure);

3.2.5 deviations or violations from standards contained in UBC’s purchasing or supply management procedures and requirements (e.g. authorizing payment to vendors when it is known that the goods were not received by UBC, or services were not performed for UBC);

3.2.6 giving or receiving any form of unauthorized benefit, including but not limited to, bribery, kickbacks, or commissions; and

3.2.7 actions related to concealing or abetting any of the aforementioned activities.
4. Reporting Improper Financial Activity

4.1 All UBC Members, as a part of their stewardship responsibilities towards UBC’s funds and assets, are expected to report any good faith concerns relating to Improper Financial Activity to their administrative head of unit (as defined in Regulatory Framework Policy). All administrative heads of units at UBC have a duty to promptly notify the director of the Internal Audit Department (the “Director”) of any allegations of Improper Financial Activity disclosed to them under this Section 4, and to consult with Internal Audit prior to conducting their own investigation or review relating to the allegation of Improper Financial Activity. If for any reason, such UBC Member is uncomfortable reporting their concerns to their administrative head of unit, then the individual should contact the Director directly in accordance with Section 1 of the Procedures.

4.2 A report may be made either orally or in writing, and may be made openly, confidentially or anonymously, in accordance with Section 1 of the Procedures. If a report is confidential, the anonymity of the individual providing the information will be maintained, except to the extent allowable within the limitations of the law, collective agreements and UBC’s policies and procedures.

4.3 All concerns disclosed in accordance with Section 1 of the Procedures will be seriously considered by Internal Audit in an objective, timely, and fair manner, respecting the rights of individuals in accordance with Section 2 of the Procedures.

4.4 Any UBC Members found to have been involved in Improper Financial Activity, may be subject to legal and/or disciplinary action, up to and including termination of employment or appointment, student discipline, or civil and/or criminal proceedings (collectively referred to herein as “Disciplinary Action”) regardless of position, past performance or length of service. The RCMP may be contacted where criminal charges may be warranted.

4.5 Any UBC Member found to have made a frivolous, vexatious, or bad faith allegation of an Improper Financial Activity may be subject to Disciplinary Action.

5. Acts of Retaliation

5.1 UBC will not tolerate any Act of Retaliation directly or indirectly against any UBC Member who, in good faith, discloses an allegation of Improper Financial Activity in accordance with Section 1 of the Procedures. Any UBC Member who is subject to any Act of Retaliation is encouraged to report such concerns. If for any reason, such individual is uncomfortable reporting their concerns to their administrative head of unit, then the individual should contact the Director directly in accordance with Section 1 of the Procedures hereto.

5.2 Individuals found to have been involved in any Act of Retaliation directly or indirectly against any UBC Member, in contravention of Section 5.1 of this Policy, may be subject to Disciplinary Action.

5.3 Notwithstanding any provision herein to the contrary, any protection afforded under this Section 5 against any Act of Retaliation, does not apply, if after an Internal Audit investigation, it is determined that the individual reporting an allegation of Improper Financial Activity did not
act in good faith or refuses to cooperate in any Internal Audit investigation relating to the individual’s allegations of Improper Financial Activity.

6. Internal Investigation Mandate

6.1 Internal Audit’s investigation mandate is to prevent Improper Financial Activity; to investigate allegations of Improper Financial Activity; to provide effective reporting mechanisms for allegations of Improper Financial Activity; and to promote ethical financial conduct by UBC Members (the “Internal Investigation Mandate”), as set forth herein.

6.2 Internal Audit will ensure that any investigation of Improper Financial Activity is coordinated within UBC, particularly in circumstances where an Internal Audit investigation is being conducted in addition to any investigation or review undertaken by any other administrative unit at UBC, with respect to the same or similar circumstances of Improper Financial Activity.

6.3 All UBC Members are required to cooperate with Internal Audit and disclose any credible evidence of any Improper Financial Activity, during any investigation mandated under this Policy.

7. Internal Audit Mandate

7.1 Internal Audit’s audit mandate is to provide consulting services and an independent and objective assurance of UBC’s operations by evaluating and improving the effectiveness of UBC’s risk management, control, and governance processes (the “Internal Audit Mandate”) in a manner that ensures that:

7.1.1 risks are appropriately identified and managed;

7.1.2 significant financial, managerial, and operating information is accurate, reliable, timely and secure;

7.1.3 activities are in compliance with policies, standards, procedures, and applicable laws and regulations;

7.1.4 resources are acquired economically, used efficiently, and adequately protected;

7.1.5 programs, operations and plans, are consistent with UBC’s mission; and

7.1.6 quality and continuous improvement are fostered in UBC’s control process.

8. Standards of Internal Audit Practice

8.1 Internal Audit will be guided by the International Standards for the Professional Practice of Internal Auditing of The Institute of Internal Auditors, in carrying out the Internal Audit Mandate.
9. **Confidentiality of Internal Audit Records**

9.1 The Director will control access to all of Internal Audit’s reports and working papers. The Director will consult with appropriate senior management and the Office of the University Counsel prior to releasing any of Internal Audit’s records to external parties.

10. **Internal Audit Independence**

10.1 The Director reports directly to the Audit Committee of the Board of Governors outside of UBC’s management structure. Internal Audit is considered a department within the portfolio of the President’s Office for administrative purposes only.

10.2 The Director will report to the Chair of the Audit Committee, and to any other appropriate member of the senior administration at UBC:

10.2.1 any significant issues related to the adequacy and effectiveness of UBC’s processes for controlling its activities and managing its risks, including potential improvements to those processes, and provide information concerning such issues through to their resolution;

10.2.2 the status and results of the annual audit plan and the sufficiency of Internal Audit resources; and

10.2.3 the status and results of any good faith Improper Financial Activity allegations.

11. **Internal Audit Authority**

11.1 The Director is authorized to:

11.1.1 have unrestricted access to all functions, records, property, and personnel, as necessary to competently perform the Internal Audit Mandate and Internal Investigation Mandate;

11.1.2 have full and free access to the Audit Committee and the President;

11.1.3 allocate resources within Internal Audit, set frequencies, select subjects, determine scopes of work, and apply the techniques required to accomplish audit objectives;

11.1.4 obtain assistance of personnel or other services from within or outside UBC as is necessary to conduct audits or investigations as set forth herein; and

11.1.5 determine the contents of all Internal Audit reports or investigations summarizing the results of their work.

11.2 Without the approval of the Audit Committee, the Director and staff of Internal Audit are not authorized to:

11.2.1 perform any operational duties for UBC;
11.2.2 initiate or approve accounting transactions external to Internal Audit; and

11.2.3 direct the activities of any UBC Member not employed by Internal Audit, unless those activities are necessary to the conduct of an audit or investigation by Internal Audit, or to the extent such UBC Member has been assigned to assist Internal Audit.

12. Director’s Responsibilities

12.1 The Director will be responsible for:

12.1.1 developing a flexible annual Internal Audit plan using appropriate risk-based methodology, including any risks or control concerns identified by management, and annually submit that plan to the Audit Committee of the Board of Governors for review and approval;

12.1.2 implementing the annual Internal Audit plan, as approved, including, and as appropriate, any special tasks or projects requested by management and the Audit Committee;

12.1.3 maintaining a professional audit staff with sufficient knowledge, skills, experience, and professional certifications to meet the requirements of this Policy;

12.1.4 managing contracted resources, as necessary, to assist in the delivery of Internal Audit’s services;

12.1.5 establishing a quality assurance program by which the Director assures the operation of auditing activities;

12.1.6 issuing periodic reports summarizing the results of Internal Audit’s activities to the Audit Committee and any individual(s) specified by the President to be responsible for this Policy (the “Responsible Executive”) or any person delegated by the Responsible Executive; and

12.1.7 Keeping the Audit Committee and the Vice-President, Finance—Resources and Operations informed of emerging trends and successful practices in internal auditing.
PROCEDURES ASSOCIATED WITH THE
FINANCIAL INVESTIGATIONS POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Financial Investigations Policy.

1. Reporting Procedure

1.1 Any individual reporting Improper Financial Activity to the Director under Section 4.1 of the Policy should contact the Director at 604-822-9041, or by mail at 6000 Iona Drive, Vancouver, V6T 1L4.

1.2 In order for Internal Audit to undertake a competent investigation into an allegation of Improper Financial Activity, the reporting individual should be able to provide the following information, to the extent of their knowledge:

1.2.1 the details of such alleged Improper Financial Activity being reported and the suspected parties involved;

1.2.2 any UBC policies or applicable laws alleged to have been breached by the alleged Improper Financial Activity; and

1.2.3 any other relevant information.

2. Internal Audit Investigations

2.1 In order for Internal Audit to undertake a competent investigation, all individuals involved in an Improper Financial Activity disclosure report or investigation must keep the details and results confidential, to the extent allowable within the limitation of the law, collective agreements, and UBC’s policies and procedures.

2.2 The Director will evaluate the details of a report provided in accordance with Section 1 of the Procedures and determine, in his or her sole discretion, whether:

2.2.1 the allegation of Improper Financial Activity is false, unfounded, frivolous, vexatious, or disclosed in bad faith; or
2.2.2 further investigation is required by Internal Audit.

2.3 If the Director deems further investigation is required in accordance with Section 2.2.2, then the Director may, in his or her sole discretion, proceed with one of the following actions:

2.3.1 direct the staff of Internal Audit to engage in an investigation or audit as contemplated in this Policy;

2.3.2 request further information from the individual reporting such Improper Financial Activity; or

2.3.3 continue with any further actions as delegated to the Director by the Responsible Executive, which may be independent of any other investigations being undertaken at UBC relating to the same Improper Financial Activity.

2.4 Upon completion of an investigation under Section 2.3, the Director may, in his or her sole discretion, determine whether to:

2.4.1 dismiss the allegation of Improper Financial Activity; or

2.4.2 recommend any Disciplinary Action against those involved in such Improper Financial Activity to the appropriate administrative head of unit.

2.5 If the Director deems any allegation of Improper Financial Activity falls under Section 2.2.1 of the Procedures, then the Director may, in his or her sole discretion, determine whether to:

2.5.1 dismiss the allegation; or

2.5.2 further investigate whether to recommend any Disciplinary Action against the reporting individual to the appropriate administrative head of unit.

2.6 The Director may undertake any further actions as delegated to the Director by the Responsible Executive, Board of Governors or the Audit Committee Chair.
EXPLANATORY NOTES REGARDING THE
FINANCIAL INVESTIGATIONS POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Financial Investigations Policy. These Explanatory Notes do not replace or supersede the content of the Financial Investigations Policy and its Procedures.

Policy Long Title: Internal Audit, Investigations, and Financial Whistleblower

Policy Short Title: Financial Investigations Policy

Policy Number: SC15

Responsible Executive: President

Responsible Board Committee: Audit Committee

Related Policies: GA2 - Regulatory Framework Policy

History:
- The Financial Investigations Policy was first approved by the Board of Governors in April 2014;
- The Financial Investigations Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Financial Investigations Policy, its long title is Internal Audit, Investigations, and Financial Whistleblower, and its number is SC15. The previous identification number for this policy was #111.

Related Legislation: N/A
Background & Purposes:

The University provides telephones and other Communication Services for carrying out University business. This Policy sets out guidelines for the provision of these services.

1. Scope

1.1 This Policy covers all Communication Services provided by the University, including those paid for using research grants administered by the University.

1.2 This Policy applies to everyone using Communication Services provided by the University.

2. Provision of Communication Services

2.1 Provision of Communication Services must be authorized as follows:

2.1.1 services for faculty, staff and students within a Faculty must be authorized by the dean of the Faculty or his or her delegate;

2.1.2 services for staff within an administrative unit must be authorized by the head of the administrative unit or his or her delegate;

2.1.3 services for visitors (such as access by conference registrants to the campus WiFi network) must be authorized by the head of the administrative unit responsible for the provision and support of the Communication Service or his or her delegate;

2.1.4 services for an appointee of the Board of Governors (other than a faculty member) must be authorized by the appropriate Vice-President or his or her delegate;

2.1.5 services for other agencies on campus must be authorized by the Vice-President, Administration and Finance and Operations or his or her delegate, in consultation with the head of the administrative unit providing the service.
2.2 The person authorizing the Communication Service will be responsible for ensuring all related costs are covered, either from accounts over which he or she has control, or by making appropriate arrangements with the person or agency using the Communication Service.

3. Efficient Use of Communication Services for University Business

3.1 The University may have agreements with suppliers for the provision of Communication Services. Users should contact Supply Management to find out about any applicable agreements before purchasing Communication Services.

3.2 Users are responsible for all additional costs incurred when Communication Services are used for personal use. Wherever possible, these costs should be paid directly by the user, using prepaid cards, calling cards, or some other method. The University must be reimbursed for all costs arising from personal use of Communication Services that are not paid directly by the user.

3.3 When personal resources are used for University business, reimbursement may be requested for out-of-pocket costs. Where a University Communication Service was available, the University may refuse to reimburse amounts in excess of the cost of that Communication Service.

4. Misuse of Communication Services

4.1 Use of Communication Services is subject to the provisions of the Information Systems Policy.

4.2 Misuse of Communication Services may result in termination of those services and other disciplinary action.

5. Property of the University

5.1 All Communication Services equipment remains the property of the University. All equipment and unused services must be returned to the University by the user when their authorized use of the service ends.

6. Definition

6.1 “Communication Services” are services or devices for voice, video or data transmission, including all kinds of telephone service, video conferencing service, and all wired and wireless data network services.
EXPLANATORY NOTES REGARDING THE
COMMUNICATION SERVICES POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Communication Services Policy. These Explanatory Notes do not replace or supersede the content of the Communication Services Policy and its Procedures.

Policy Long Title: Provision of Communication Services
Policy Short Title: Communication Services Policy
Policy Number: UP1
Responsible Executive: Vice-President, Administration and Finance and Operations
Responsible Board Committee: Audit Committee
Related Policies: SC14 - Information Systems Policy

History:
- The Communication Services Policy was first approved by the Board of Governors in July 1977;
- The Communication Services Policy was revised in September 2005;
- The Communication Services Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Communication Services Policy, its long title is Provision of Communication Services, and its number is UP1. The previous identification number for this policy was #99.

Related Legislation: N/A
1. General

1.1 Permission to solicit and collect funds on the campus of the University for charitable purposes are approved by Vice-President, External and Legal Affairs Relations.

1.2 The methods used to solicit and collect funds are approved by Vice-President, External and Legal Affairs Relations. The Vice-President must be assured of the applicant's authority to act, and there must be a satisfactory method of accounting for the monies collected.

1.3 Where the form of solicitation involves canvassing by individuals using collecting cans and the like, the canvassers must limit their activities to the public areas of the campus, which in this case excludes lecture and seminar rooms, the library and any University office.

1.4 The University can provide no facilities or assistance for soliciting or collecting funds, except in the case of the appeal by the United Way.

1.5 Permission to solicit funds does not in any sense constitute an endorsement of the cause by the University.
**EXPLANATORY NOTES REGARDING THE CHARITABLE APPEALS POLICY AND ASSOCIATED PROCEDURES**

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Charitable Appeals Policy. These Explanatory Notes do not replace or supersede the content of the Charitable Appeals Policy and its Procedures.

<table>
<thead>
<tr>
<th>Policy Long Title:</th>
<th>Charitable Appeals on Campus</th>
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<tbody>
<tr>
<td>Policy Short Title:</td>
<td>Charitable Appeals Policy</td>
</tr>
<tr>
<td>Policy Number:</td>
<td>UP2</td>
</tr>
<tr>
<td>Responsible Executive:</td>
<td>Vice-President, External and Legal Affairs Relations</td>
</tr>
<tr>
<td>Responsible Board Committee:</td>
<td>People, Community &amp; International Committee</td>
</tr>
<tr>
<td>Related Policies:</td>
<td>N/A</td>
</tr>
<tr>
<td>Related Documents:</td>
<td>Directive from the Vice-President, External, Legal, and Community Relations – Issued September 23, 2010</td>
</tr>
</tbody>
</table>
| History:                 | • The Charitable Appeals Policy was first approved by the Board of Governors in July 1977;  
                           | • The Charitable Appeals Policy was revised in January 1996;  
                           | • The Charitable Appeals Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Charitable Appeals Policy, its long title is Charitable Appeals on Campus, and its number is UP2. The previous identification number for this policy was #100. |
| Related Legislation:     | N/A                          |
The Purpose of this Policy is to outline the administration, management, and responsibility for any Vending Machines which dispense Product to a customer for any form of consideration in or on UBC Space.

1. General

1.1 This Policy and the Procedures attached to this Policy apply to all Vending Machines on or in UBC Space.

1.2 Vending Machines may be installed or replaced on or in UBC Space in accordance with the Procedures attached to this Policy.

2. Scope of Policy

2.1 This Policy and its Procedures do not apply to food prepared off campus which is sold to individuals and delivered to campus (e.g. pizza delivery services), automated teller machines that enable customers of financial institutions to perform financial transactions, photocopiers, and Products which are sold outside of a Vending Machine by UBC Members for fund raising activities.
PROCEDURES ASSOCIATED WITH THE VENDING MACHINE POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Vending Machine Policy.

1. Approval Process for the Installation of Vending Machines

1.1 Generally, anyone who wishes to either install a new Vending Machine or replace an existing Vending Machine in or on UBC Space must first:

1.1.1 Obtain approval of the Administrative Head of Unit; and

1.1.2 Contact UBC Supply Management.

1.2 UBC Supply Management will, in consultation with UBC SHHS, confirm whether the Vending Machine is subject to any existing supplier contracts, and whether the Vending Machine is the responsibility of any UBC Student Services. If there is no relevant existing contract, then UBC Supply Management will contract with a supplier for Products and the Vending Machine through UBC’s standard procurement process, if applicable, and such contract will include provisions stating that the Products will, to the extent appropriate, adhere to any government recommended healthier choices guidelines that may be applicable to UBC.

1.3 If a contract is required, and the contract has been negotiated and executed by UBC Supply Management:

1.3.1 If UBC SHHS has determined the Vending Machines to be the responsibility of any UBC Student Services in accordance with Section 1.2, then UBC SHHS or other UBC Student Services, as applicable, will make a final determination, with approval of UBC Facilities, as to whether the requested Vending Machine should be installed; or

1.3.2 If UBC SHHS has determined the Vending Machine is not the responsibility of UBC SHHS or any UBC Student Services, then the Administrative Head of Unit, or its delegate, will make a final determination, with approval of UBC Facilities, as to whether the requested Vending Machine should be installed.

1.4 If an application for a Vending Machine has been approved in accordance with Section 1.3, then UBC Facilities will be consulted to support the installation or removal of the Vending Machines.
to ensure accessibility, proximity to plumbing and electrical services, and compliance with building and fire codes within all UBC Space.

2. Expenses, Revenue and Commissions

2.1 Installation, maintenance, expenses, and operating costs of the Vending Machines are the responsibility of the applicable decision maker under Section 1.3 of these Procedures.

2.2 Commissions received from Vending Machines accrue to the applicable decision maker under Section 1.3 of these Procedures, except for commissions arising from Vending Machines in student common rooms assigned to student societies, which accrue to the student society, provided that:

   2.1.1 the location of the Vending Machine is in the common room;

   2.1.2 it is used almost exclusively by the members of that particular student society; and

   2.1.3 the student society obtains approval for the Vending Machines in accordance with these Procedures.

2.3 Refunds for malfunctioning Vending Machines or for a defective product may be addressed to the vendor information on the specific Vending Machine or the recipients of commissions under Section 2.2 of these Procedures.

3. Additional Engagement

3.1 If there are any additional concerns or issues with respect to the Vending Machines subject to this Policy and its Procedures, then the Responsible Executive or authorized delegate, may convene a meeting of representatives of UBC SHHS, UBC Facilities, UBC Supply Management, and other applicable UBC Members to consider and decide on such issues.

3.2 If there are any additional concerns or issues with respect to the Product available in the Vending Machines, such as the Product’s alignment with UBC’s commitment to the health and wellbeing of its students, faculty and staff, then the Responsible Executive or authorized delegate, may convene a meeting of representatives of UBC Student Services, UBC Supply Management, and other applicable UBC Members to consider and make a recommendation on such issues.

4. Definitions

4.1 “Administrative Head of Unit” means the Director of a service and/or administrative unit, centre, institute or school; a Head of an academic department or unit; a Dean; a Vice-President; a Vice-Principal; an Associate Vice-President; or any equivalent position, responsible for the UBC Space, area, or building where the Vending Machine is or will be located.
4.2 “Products” means any goods and, without limiting the generality of the definition, may include food, beverages, electronics, pharmaceutical products, photo printing, academic resources, supplies, clothing, and other consumable and non-consumable products.

4.3 “Responsible Executive” means the Vice-President, Finance & Operations.

4.4 “UBC Facilities” means the Facilities Management department on the UBC Okanagan campus and the UBC Building Operations department on the UBC Vancouver campus, as applicable.

4.5 “UBC Member” means any student, faculty, or staff of UBC.

4.6 “UBC SHHS” means UBC Student Housing and Hospitality Services which is part of UBC Student Services.

4.7 “UBC Space” means all real property to which UBC has a right of possession, whether by way of ownership, lease, licence, or otherwise, except for real property owned by UBC but leased or licensed out to a third party (i.e. the J. Peter Meekison Student Centre in the University Centre, which is leased to the Students’ Union of UBC Okanagan, and the AMS Student Nest, which is leased to the UBC Alma Mater Society) which are not included in the definition of UBC Space.

4.8 “UBC Student Services” means the administrative units and departments under the portfolio of The Vice-President, Students that are responsible for UBC student facilities and auxiliary services (i.e., athletics, bookstore, food services, housing, daycares, conferences & accommodations, parking, common use & student activity spaces, and other student services spaces).

4.9 “UBC Supply Management” means the administrative unit and department under the portfolio of The Vice-President, Finance and Operations that is responsible for procurement and purchasing of goods and services.

4.10 “Vending Machine(s)” means any self-serve machine or kiosk which supplies Products to a customer for any form of consideration.
The OUC has prepared these Explanatory Notes to provide context and background regarding the Vending Machine Policy. These Explanatory Notes do not replace or supersede the content of the Vending Machine Policy and its Procedures.

<table>
<thead>
<tr>
<th>Policy Long Title:</th>
<th>Vending Machines on or in UBC Space</th>
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<tbody>
<tr>
<td>Policy Short Title:</td>
<td>Vending Machine Policy</td>
</tr>
<tr>
<td>Policy Number:</td>
<td>UP4</td>
</tr>
<tr>
<td>Responsible Executive:</td>
<td>Vice-President, Administration and Finance and Operations</td>
</tr>
<tr>
<td>Responsible Board Committee:</td>
<td>Finance Committee</td>
</tr>
<tr>
<td>Related Policies:</td>
<td>GA2 - Regulatory Framework Policy</td>
</tr>
</tbody>
</table>
| History: | • The Vending Machine Policy was first approved by the Board of Governors in November 1977;  
• The Vending Machine Policy was revised in September 1993;  
• The Vending Machine Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Vending Machine Policy, its long title is Vending Machines on or in UBC Space, and its number is UP4. The previous identification number for this policy was #101. |
| Related Legislation: | N/A |
Background & Purposes:

UBC acquires a wide range of equipment, goods and supplies for the purposes of achieving its academic and charitable purposes of teaching, research, scholarly pursuits and community service.

UBC also provides a wide range of support services to facilitate, administer and manage its activities.

The purposes of this Policy are:

(a) to confirm that all of UBC’s equipment is owned by UBC, and all such equipment and all of UBC’s support services are to be used primarily for the achievement of UBC’s purposes; and

(b) to formalize a responsible approach to the use of any excess capacity of UBC’s equipment and services in exceptional circumstances, whether for third party purposes that advance research, knowledge exchange, collaboration, innovation, and entrepreneurship, or incidental personal purposes.

Defined terms are capitalized and can be found in Section 5 of this Policy.

1. Scope

1.1 This Policy governs the use of UBC Equipment and UBC Support Services by all persons, regardless of their identity or their connection with UBC.

1.2 This Policy does not govern the booking of indoor and outdoor space, which is the subject matter of the Space Rental Policy. However, should a space booking or rental governed by the Space Rental Policy be primarily for the purpose of accessing a particular piece of equipment contained in a space, this Policy and its Procedures apply together with the Space Rental Policy and must be reflected in the rate structure and rules established by the unit responsible for administering the space, and must be reflected in any agreement entered into for the space booking.
1.3 This Policy does not govern the approvals for the use of UBC Equipment and Related Technical Services that are included in “Fee-for-Service Projects” entered into pursuant to the Research Policy.

1.4 This Policy establishes generally applicable principles and requirements regarding UBC Equipment and UBC Support Services. Should another Board of Governors policy govern a specific category of UBC Equipment and UBC Support Services, both Policies shall govern, except that the specific Policy will govern should there be any inconsistency with this general Policy.

2. **UBC Equipment belongs to UBC**

2.1 All UBC Equipment belongs to UBC and is to be used primarily for the achievement of UBC’s purposes.

2.2 The Equipment Administrator is primarily responsible for ensuring that the UBC Equipment and any Related Technical Services within their unit’s purview are used in accordance with this Policy.

2.3 Each person using UBC Equipment must comply with this Policy and is responsible to the Equipment Administrator for their use of UBC Equipment.

3. **UBC Support Services Primarily Benefit UBC**

3.1 All UBC Support Services are to be provided primarily for the achievement of UBC’s purposes.

3.2 The Support Services Administrator is primarily responsible for ensuring that the UBC Support Services provided by their unit are used in accordance with this Policy.

3.3 Each person utilizing UBC Support Services must comply with this Policy.

4. **Excess Capacity**

   **UBC Equipment**

4.1 Except in exceptional circumstances that comply with this Policy and its Procedures, the Excess Capacity of any UBC Equipment may not be used for Non-UBC Purposes.

4.2 The Equipment Administrator is primarily responsible for determining whether any UBC Equipment within their unit’s purview has Excess Capacity. Should there be any doubt or dispute within a unit about whether a piece of UBC Equipment has Excess Capacity, the Equipment Administrator may make a determination and may seek direction or advice from the Responsible Executives or their delegates before doing so.

   **UBC Support Services**

4.3 Except in exceptional circumstances that comply with this Policy and its Procedures, the Excess Capacity of any UBC Support Service may not be used for Non-UBC Purposes.
4.4 The Support Services Administrator is primarily responsible for determining whether the UBC Support Service has Excess Capacity. Should there be any doubt or dispute about Excess Capacity, the Support Services Administrator may make a determination and may seek direction or advice from the Responsible Executives or their delegates before doing so.

5. Definitions

5.1 “Equipment Administrator” means with respect to UBC Equipment utilized primarily by:

5.1.1 a faculty, the Dean of that faculty, or their delegate(s);

5.1.2 the UBC Library, the University Librarian, or their delegate(s); and

5.1.3 an administrative unit of UBC, the Vice-President to which that administrative unit reports, or their delegate(s).

Should UBC Equipment be utilized by two or more faculties, or two or more administrative units, the relevant Deans and Vice-Presidents shall act jointly as the Equipment Administrator and may separately or jointly appoint delegates.

5.2 “Excess Capacity” is the difference between the full, useful capacity of a piece of UBC Equipment or an UBC Support Service, and the capacity of the property or service actually being utilized for UBC’s purposes. For example, Excess Capacity may be found where a piece of UBC Equipment is needed to conduct UBC business or fulfill UBC purposes, but there are periods of time when the UBC Equipment is not being utilized.

5.3 “Non-UBC Purposes” means purposes other than those that serve UBC’s purposes.

5.4 “Related Technical Services” means the services of an operator or technician, required to properly, safely and effectively operate a particular piece of UBC Equipment.

5.5 “Support Services Administrator” means with respect to UBC Support Services provided by:

5.5.1 a faculty, the Dean of that faculty, or their delegate(s);

5.5.2 the UBC Library, the University Librarian, or their delegate(s); and

5.5.3 an administrative unit of UBC, the Vice-President to which that administrative unit reports, or their delegate(s).

5.6 “UBC Equipment” means, for the purposes of this Policy, all property purchased, leased, created/fabricated, or otherwise acquired by UBC, whether using UBC funds including Research Funds (as defined in Research), whether donated or otherwise gifted to UBC, or whether created/fabricated in the course of regular duties of UBC faculty and staff. For greater certainty, in this Policy:

5.6.1 UBC Equipment includes resources such as: laboratory test and research apparatus and equipment; non-laboratory equipment such as musical instruments and audio visual
equipment; office equipment and supplies (e.g. computers, servers, telephones (land and mobile), copiers/scanners, stationary etc.); vehicles (e.g. passenger cars, vans, trucks, delivery vehicles, tractors, boats, and scissor lifts); etc.; and

5.6.2 UBC Equipment excludes intellectual property, real property (e.g. land, buildings, etc.), and property where UBC has disclaimed ownership in accordance with the Research Policy.

5.7 “UBC Support Services” mean services provided by UBC employees for the purposes of supporting, facilitating, administering and managing the delivery of the teaching, instruction and Research (as defined in the Research Policy) and related activities fulfilling UBC’s purposes, and includes, without limitation, administrative support services, building operations services, campus mail services, campus moving services, campus security, etc.
PROCEDURES ASSOCIATED WITH THE EQUIPMENT/SERVICES USE POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Equipment/Services Use Policy.

1. General Restrictions on Use for Non-UBC Purposes

1.1 UBC Equipment and UBC Support Services may be used for Non-UBC Purposes only if they meet all the following principles as well as any regulations adopted under Sections 2.3 and 2.4 below):

1.1.1 the use must be incidental to the primary use of the UBC Equipment and UBC Support Service, meaning that the use does not interfere with the use of the UBC Equipment or performance of the UBC Support Service, for their respective primary UBC purposes;

1.1.2 the use must not result in any costs or increase in costs to UBC; and

1.1.3 all uses must be in accordance with all of UBC’s policies and procedures, including (without limitation) the COI Policy, and in respect of use of electronic equipment, and the Information Systems Policy.

2. Incidental Personal Uses

2.1 Without limiting the definition of Non-UBC Purposes as set out in the Policy, Non-UBC Purposes include:

2.1.1 “Incidental Personal Uses”, which mean uses that primarily benefit the UBC faculty or staff member using, or directing someone else to use, the UBC Equipment or an UBC Support Service, such as use of electronic resources for personal reading and entertainment during off-hours, receiving a very small number of personal deliveries, making a very small number of copies or prints related to personal or volunteer activities, etc.

2.2 Should any person have any uncertainty, concerns, or questions regarding whether a particular activity falls within the definition of an Incidental Personal Use, they should speak with the Equipment Administrator or the Support Services Administrator (as the case may be) before proceeding with the activity.
2.3 The Equipment Administrator may adopt regulations regarding Incidental Personal Uses of any Excess Capacity of UBC Equipment of their unit, provided that the regulations are not more permissive than Section 1.1 of these Procedures. All persons using the UBC Equipment must adhere to these regulations.

2.4 The Support Services Administrator may adopt regulations setting out terms and conditions regarding Incidental Personal Use of any Excess Capacity of any UBC Support Service (including cost-recovery, service levels, and accommodations for departmental needs and circumstances), provided that the regulations are not more permissive than Section 1.1 of these Procedures. All persons delivering, receiving or otherwise utilizing the UBC Support Services must adhere to these regulations.

3. Third Party Uses

3.1 Without limiting the definition of Non-UBC Purposes as set out in the Policy, Non-UBC Purposes include:

3.3.1 “Third Party Uses”, which mean uses that primarily benefit:

(a) a faculty or staff member’s commercial and non-commercial pursuits outside of their employment at UBC (i.e., which do not form a part of their job description); and

(b) outside or third-party entities, including business organizations (e.g. corporations, partnerships etc.), associations, foundations and societies that are established as separate entities from UBC (even if UBC is a member, shareholder, etc.).

3.2 For the purposes of this Article 3, the term “Administrator” means either the Equipment Administrator or the Support Services Administrator, as relevant in the circumstances.

3.3 The Excess Capacity of any UBC Equipment must not be used for Third Party Uses, except in exceptional circumstances approved in advance by the Equipment Administrator.

3.4 The Excess Capacity of any UBC Support Service must not be used for Third Party Uses unless permitted by the Support Services Administrator, except that Related Technical Services may be provided in conjunction with the use of UBC Equipment as set out in this Section, below.

3.5 No Administrator is obligated to authorize any Third Party Uses. However, should the person seeking authorization of a Third Party Use demonstrate to the satisfaction of the Administrator that the UBC Equipment or UBC Support Service has Excess Capacity (for example, it is not required by others within the same unit, or other UBC units, departments or faculties, for the achievement of UBC’s purposes), and that it is otherwise appropriate for the Excess Capacity to be utilized for a Third Party Use, the Administrator may issue an authorization in accordance with the following principles:

3.5.1 All other applicable UBC faculty, departmental or unit policies, guidelines or regulations must be complied with.
3.5.2 Any restrictions upon the use of the UBC Equipment or the UBC Support Service (e.g. in funding agreements, funding agency policies, donor arrangements, import or purchase conditions, etc.) must be complied with.

3.5.3 Appropriate safeguards must be in place to protect the UBC Equipment from misuse, damage, and theft.

3.5.4 UBC Equipment, Related Technical Services and UBC Support Services are not to be used to perform regular, routine tests or functions in competition with the private sector, or otherwise to provide a private benefit to particular individuals or organizations.

3.5.5 If the person seeking to utilize the UBC Equipment, Related Technical Services (if applicable) or UBC Support Service is a UBC Person as defined in the COI Policy, that policy must be considered and complied with.

3.5.6 The Administrator must ensure that UBC is compensated for the Third Party Use. Compensation must be reasonable, and generally ought to be market value (the highest price that two parties acting at arm’s length would agree on), and achieve direct cost recovery and appropriate indirect cost recovery (alternatively referred to as “overhead”).

A relevant consideration affecting the determination of the amount required for indirect cost recovery is UBC’s generally applicable indirect recovery rate on industry funding, as established pursuant to the Research Policy.

Third Party Uses that only indirectly advance UBC’s purposes (e.g. UBC faculty, staff or student-led entrepreneurial initiatives, etc.) are not exempt from the requirement for reasonable compensation, as determined by the Administrator.

3.6 Should the Administrator authorize the Third Party Use of the Excess Capacity of UBC Equipment (with or without Related Technical Services) or UBC Support Services:

3.6.1 The Administrator must ensure that the arrangement is formalized by way of a written agreement, which agreement must:

(a) details all arrangements, including the time period covered, insurance and transportation arrangements where applicable, liability and financial terms;

(b) be reviewed and approved by the Vice-President, Research and Innovation, or their delegate, if the UBC Equipment in question (if any) is laboratory test or research equipment of any description; and

(c) be signed in accordance with the relevant UBC signing authority (which is determined with reference to the Signing Resolutions adopted by the Signing Committee of the UBC Board of Governors); and

3.6.2 Unless otherwise directed by the Vice-President, Finance and Operations, all monies received from Third Party Uses will normally be retained, recorded, and shown
in the accounts of the unit(s) responsible for the UBC Equipment, Related Technical Services, or the UBC Support Services (as the case may be).
EXPLANATORY NOTES REGARDING THE EQUIPMENT/SERVICES USE POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Equipment/Services Use Policy. These Explanatory Notes do not replace or supersede the content of the Equipment/Services Use Policy and its Procedures.

Policy Long Title: Ownership and Use of UBC Equipment and UBC Support Services

Policy Short Title: Equipment/Services Use Policy

Policy Number: UP5

Responsible Executive: Vice-President, Administration and Finance and Operations
Vice-President, Research and Innovation

Responsible Board Committee: Property Committee

Related Policies: LR2 - Research Policy
UP9 - Space Rental Policy

History:
• The Equipment/Services Use Policy was first approved by the Board of Governors in February 1981;
• The Equipment/Services Use Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Equipment/Services Use Policy, its long title is Ownership and Use of UBC Equipment and UBC Support Services, and its number is UP5. The previous identification number for this policy was #16.

Related Legislation: N/A
Background & Purposes:

UBC allocates UBC Land and Facilities at UBC’s Vancouver campus, UBC’s Okanagan campus, and other UBC sites amongst faculties, ancillaries and administrative units. UBC Land and Facilities include various forms of Bookable Space, including: academic spaces, such as classrooms, laboratories and studio spaces; multi-use spaces, such as atriums and meeting rooms; administrative spaces, such as offices; commercial spaces; and outdoor spaces.

It is a UBC priority to utilize all such indoor and outdoor spaces to meet UBC’s mandate and to support the creation of a vibrant campus, year round.

Bookings of Bookable Space originate in a variety of ways, and nothing in this Policy discourages or deprives anyone of the ability to engage others (internal and external to UBC) to propose to bring or host events on campus.

The purposes of this Policy are to:

- Establish generally applicable guidelines and procedures for booking Bookable Space, whether for short-term (less than 4 weeks) or longer;
- Identify the units at UBC responsible for booking of Bookable Space; and
- Establish how space-specific rate structures, guidelines and procedures must be established.

This Policy does not govern the allocation of UBC Land and Facilities amongst faculties, ancillary and administrative units.

*Defined terms are capitalized and can be found in section 6 of this Policy.*

1. General

1.1 *UBC Control.* UBC Land and Facilities are under the control and management of UBC.

1.2 *Approvals Required.* Anyone wishing to book a Bookable Space must obtain the approval of the relevant unit identified in section 2 of the Procedures to this Policy.
1.3 **Additional Permit or License.** In addition to the approval of the unit responsible for booking the Bookable Space, some uses will require an additional permit(s) or license(s) from the relevant Permitting Authority.

1.4 **Additional Approvals for Use of Non-UBC Space.** For uses that involve both a Bookable Space and a space that is not owned or controlled by UBC (i.e. a non-UBC space), the person making the booking must obtain the approval of:

   1.4.1 UBC for the booking of the Bookable Space (in accordance with this Policy); and
   1.4.2 the third party who owns or controls the non-UBC space.

1.5 **Special UBC Processes for Additional Permits, Licenses and Approvals.** If UBC has established a process for obtaining any of the additional permits, licenses and approvals described in sections 1.3 and 1.4 above (for example, obtaining special occasion liquor licences), all persons who are booking a Bookable Space and who must obtain such an additional permit, license or approval, must utilize UBC’s process.

2. **Access to Bookable Space**

   2.1 **Balancing Commitments.** UBC respects the right to freedom of expression and will not discriminate in a manner prohibited by the British Columbia *Human Rights Code*. UBC reserves the right to ensure that any use of Bookable Space does not compromise UBC’s or the UBC community’s activities, as well as the safety and security of persons and facilities.

   2.2 **Guidance and Advice.** Any person with questions or concerns regarding the balancing of these interests should contact the Office of the University Counsel for advice and guidance.

3. **Booking and Rental Rates**

   3.1 **Rate Structures.** Every unit responsible for administering the booking of Bookable Space must establish a rate structure for such bookings and have it approved by the Vice-President, Finance and Operations as part of the unit’s normal budgeting process.

   3.2 **Differential Rates.** Rate structures may contain differential rates for particular spaces, and user groups, such as students, student associations, invitees, and non-UBC entities. For greater certainty, rate structures may stipulate that no fee be charged to a particular user group(s).

   3.3 **Cost Recovery.** Rates charged, when taken together with any other benefits received by UBC relating to the booking, should at least achieve direct (e.g. to cover administrative, maintenance and/or audio-visual support necessary for the booking) and appropriate indirect cost recovery.

4. **Booking and Rental Rules**

   4.1 **Establishing Rules.** Every unit responsible for administering the booking of Bookable Space shall establish rules for that space. Such rules must:
4.1.1 set out booking procedures, including a procedure for modifying and cancelling bookings, if appropriate, and a procedure for documenting the booking (which should, if appropriate, address the matters set out in section 4 of the Procedures to this Policy);

4.1.2 set out booking priorities that (a) ensure priority for unbooked space for Core Academic / Educational Activities (see definition in the Procedures to this Policy); and (b) describe other booking priorities (if any);

4.1.3 obligate the person who is seeking to book the space to work with UBC to: mitigate any disruptions to UBC’s or the UBC community’s activities are expected to arise as a result of the booking; and to ensure the safety and security of affected persons and facilities; and

4.1.4 be approved by the Administrative Head of the unit.

4.2 Public Access to Rules. The rules described in section 4.1 (above) must be publicly accessible or otherwise available upon request.

5. Role of Treasury

5.1 Informing Treasury. Where:

5.1.1 a booking of any Bookable Space, or any other UBC Lands and Facilities, involves a term of occupation that is four consecutive weeks or longer; and/or

5.1.2 the booking involves exclusive use or near-exclusive use of the Bookable Space, or any other UBC Lands and Facilities. For the purposes of this Policy, “exclusive use” means:

(a) the party making the booking has independent and unrestricted access to the space during and after normal working hours (e.g. they have keys to the space and may come and go as they please for an extended period, as opposed to being granted access strictly at times that are within the discretion of UBC); or

(b) UBC’s rights to access the space are restricted, or UBC must give notice to the party making the booking in order to enter the space in the course of normal university business.

The unit responsible for administering the booking must inform Treasury before any firm commitment is made. If booking Bookable Space in the manner described above is a normal part of the operations of a unit, Treasury and the unit should standardize and streamline communications with Treasury, including establishing norms for contacting Treasury, and creating and implementing template booking documents and agreements.

5.2 Guidance and Advice. All units responsible for administering Bookable Space should seek guidance and advice from Treasury regarding the appropriate terms and conditions to place upon their bookings.
5.3 *Treasury Requirements.* Treasury may require that any booking be formalized in a written agreement that, at minimum, addresses the matters set out in section 4 of the Procedures to this Policy, and such other requirements as Treasury may deem necessary.

6. **Definitions**

6.1 “*Bookable Space*” means the lands and spaces within UBC Lands and Facilities that are made available by UBC for bookings.

6.2 *To “book” a space* means to grant a right to use that space, on the agreed upon terms and conditions, whether the term used is “booking”, “rental”, or some other variation of these terms.

6.3 “*Off-Campus Space*” means any Bookable Space located outside of UBC’s Vancouver and Okanagan campuses.

6.4 “*Permitting Authority*” means:

6.4.1 for UBC’s Vancouver campus, Campus and Community Planning or the Ministry of Transportation and Infrastructure, as applicable;

6.4.2 for UBC’s Okanagan campus, Campus and Community Planning or the City of Kelowna, as applicable; and

6.4.3 for Off-Campus Space, the local government having jurisdiction where the Off-Campus Space is located.

6.5 “*Regulatory Requirements*” means any requirements established by the Board of Governors or federal, provincial, or local governments relating to the use of Bookable Space.

6.6 “*UBC Lands and Facilities*” means all real property to which UBC has right of possession, whether by way of ownership, lease or otherwise.
PROCEDURES ASSOCIATED WITH THE SPACE RENTAL POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Space Rental Policy.

1. Additional Definitions for these Procedures

1.1 The types of Bookable Space include:

Teaching Space

1.1.1 General Teaching Space. UBC may designate certain Bookable Space as general teaching space, which means that such space is to be used for the teaching needs of faculties or departments, in addition to the faculty or department in whose facility the space is located.

1.1.2 Restricted Teaching Space. UBC may designate certain Bookable Space as restricted teaching space, which means that such space is to be used for that faculty's or department’s teaching needs, with ancillary use in periods of low academic utilization for UBC-hosted academic functions (conferences, symposia, etc.) only.

Non-Teaching Space

1.1.3 Designated Facility and Designated Administrator. Buildings, portions of buildings, indoor and/or outdoor facilities, and any other Bookable Space (both indoor and outdoor) may be designated as a Designated Facility for the purposes of this Policy, and for each Designated Facility there must be a faculty, department or unit responsible for administering bookings (referred to as the Designated Administrator). Each of the Responsible Executives shall appoint a person who shall have the responsibility of: (a) designating the Designated Facilities on their campus (if any); (b) designating a Designated Administrator for each Designated Facility, and (c) ensuring that a current listing of the Designated Facilities and their respective Designated Administrators is made publicly available. Before a decision regarding a current or proposed Designated Facility is taken, the affected faculty(ies), department(s) or unit(s) must be consulted. If any affected faculty, department or unit is unsatisfied with the decision to designate a facility or remove a designation and the matter cannot be resolved informally, the matter may be referred to the Responsible Executive for the relevant campus for resolution.
1.1.4  **Research, Administrative and Ancillary Space.** Indoor or outdoor Bookable Space that is not General Teaching Space, Restricted Teaching Space, or a Designated Facility, is considered, for the purposes of this Policy, Research, Administrative and Ancillary Space, which means that it may be used for the academic, research, cultural, social, athletic, administrative or other needs of UBC and/or the faculty or department in whose facility the space is located, and may be made available for booking for a variety of uses, including Events, Commercial Activities and Filming and Photography. Such space includes laboratories, administration offices and boardrooms, and multi-use and common areas, such as atriums and foyers.

1.2  The types of activities contemplated in this Policy include:

  **Academic / Educational Activities**

  1.2.1  **Core Academic / Educational Activities**, which means:

  (a) classes or events related to UBC credit course offerings (i.e. UBC degree and diploma courses approved by Senate);

  (b) examinations, seminars, discussion groups, and similar activities related to UBC credit course offerings; and

  (c) research conducted by faculty, staff and students of UBC or under the auspices of UBC.

  1.2.2  **Other Academic / Educational Activities**, which means:

  (a) classes, courses and programs offered by UBC, but which do not lead to a UBC degree or diploma approved by Senate, which includes all courses offered by Continuing Studies; and

  (b) conferences, symposia and other academic/educational activities hosted by UBC faculty and/or staff.

  **Other Activities**

  1.2.3  **Administrative Activities**, which means:

  (a) administrative meetings or other similar activities of student clubs sanctioned by a UBC students’ union or UBC Athletics and Recreation, faculty-sponsored student groups, or other similar organizations that are supported by UBC; and

  (b) UBC faculty and staff meetings, training sessions or presentations related to the performance of their duties.

  1.2.4  **Athletic or Recreational Activities**, which includes, without limitation, the activities of varsity, club and intramural sports teams sanctioned by UBC or a unit thereof, or a UBC students’ organization; athletic programming (UBC or externally organized); and
recreational programs (UBC or externally organized), such as kids’ camps; but does not include “Events”, which are described below.

1.2.5 **Commercial Activities**, which means activities of a primarily commercial nature, including operating a Business, and engaging in any other activity for marketing, sales, or profit purposes. For the purpose of this Policy,

(a) the term “Commercial Activities” does not include an Event, nor Filming and Photography (these are defined separately below); and

(b) the term “Business” means:

(i) a commercial or industrial activity or undertaking of any kind; or

(ii) professional, personal or other services provided for the purpose of gain,

but does not include an activity carried on by UBC or by agencies of UBC.

1.2.6 **Events**, which means activities that do not fit within the other activities described above, such as exhibitions, shows, concerts, festivals or promotional or sporting events (such as multi-site tournaments and single or multi-sport races, e.g. marathons, triathlons, and bicycle races), and similar activities of short duration. As used in this Policy, the term “Events” does not include Filming and Photography.

1.2.7 **Filming and Photography**, which means filming and photography carried out by external production organizations, and by students, whether or not related to a UBC credit course. Excluded are filming and photography conducted for solely personal purposes (e.g. spontaneous photographs and short filming by family and friends).

2. **Responsibility for Booking of Indoor and Outdoor Bookable Space**

2.1 The following units are responsible for administering the booking of Bookable Space and are the primary points of contact for persons wishing to book or rent such space:

2.1.1 **Regarding Bookable Space at UBC’s Vancouver campus:**

<table>
<thead>
<tr>
<th>Type of Bookable Space</th>
<th>Use</th>
<th>Primary point of Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Teaching Space (see definition, section 1.1.1 above)</td>
<td>Core Academic / Educational Activities Other Academic / Educational Activities Athletic or Recreational Activities Administrative Activities Commercial Activities Events</td>
<td>Enrolment Services</td>
</tr>
<tr>
<td>Type of Bookable Space</td>
<td>Use</td>
<td>Primary point of Contact</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>---------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------</td>
</tr>
<tr>
<td>Restricted Teaching Space</td>
<td>All activities, but see section 2.1.4 below.</td>
<td>The unit allocated the Restricted Teaching Space by UBC</td>
</tr>
<tr>
<td>Research, Administrative and Ancillary Space (see definition, section 1.1.4 above)</td>
<td>Core Academic / Educational Activities Other Academic / Educational Activities Athletic or Recreational Activities Administrative Activities Commercial Activities Events (see below for Filming and Photography)</td>
<td>The unit allocated the Bookable Space by UBC</td>
</tr>
<tr>
<td>General Teaching Space, Research, Administrative and Ancillary Space, and all other indoor Bookable Space</td>
<td>Filming and Photography</td>
<td>Campus and Community Planning</td>
</tr>
<tr>
<td>Designated Facilities (see definition, section 1.1.3 above)</td>
<td>Core Academic / Educational Activities Other Academic / Educational Activities Athletic or Recreational Activities Administrative Activities Commercial Activities Events</td>
<td>The Designated Administrator (see definition, section 1.1.3 above)</td>
</tr>
<tr>
<td>Designated Facilities (indoor and outdoor) (see definition, section 1.1.3 above)</td>
<td>Filming and Photography</td>
<td>Campus and Community Planning</td>
</tr>
<tr>
<td>All outdoor Bookable Space, except for that which forms part of a Designated Facility</td>
<td>Core Academic / Educational Activities Other Academic / Educational Activities</td>
<td>Campus and Community Planning</td>
</tr>
</tbody>
</table>
### 2.1.2 Regarding Bookable Space at UBC's Okanagan campus, the primary point of contact is:

<table>
<thead>
<tr>
<th>Type of Bookable Space</th>
<th>Use</th>
<th>Primary point of Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>All other types of Bookable Space</td>
<td>All other Activities, (including conferences, symposia and other academic/educational activities hosted by UBC faculty and/or staff)</td>
<td>The unit or department identified on the website maintained by Central Booking or Campus and Community Planning, as determined by the Responsible Executive for the UBC Okanagan Campus.</td>
</tr>
<tr>
<td>Athletic or Recreational Activities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Administrative Activities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Events</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Activities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Filming and Photography</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 2.1.3 Regarding Bookable Space at Off-Campus Space:

<table>
<thead>
<tr>
<th>Type of Bookable Space</th>
<th>Use</th>
<th>Primary point of Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Off-Campus Space, both indoor and outdoor</td>
<td>Filming and Photography</td>
<td>Campus and Community Planning</td>
</tr>
<tr>
<td>All other types of Bookable Space</td>
<td>All other Activities, other than Filming and Photography</td>
<td>The unit allocated the Off-Campus Space by UBC</td>
</tr>
</tbody>
</table>

### 2.1.4 Regarding Restricted Teaching Space (see definition, section 1.1.2 above): the faculty or department allocated control of any Restricted Teaching Space is responsible for administering the use of such space, it being understood that such space will not be generally available for bookings, except in periods of low academic utilization where such space may be made available for UBC-hosted academic functions (conferences, symposia, etc.) only.

### 2.2 Generally Applicable Rules. All bookings of Bookable Space, and the use thereof, must comply with the following:
2.2.1 this Policy and the Procedures to this Policy; and

2.2.2 the applicable Regulatory Requirements (which may include the obligation for the user group to obtain the necessary approvals from the Permitting Authority).

2.3 Additional Requirement for Designated Administrators. Whenever booking an Event, the Designated Administrator must:

2.3.1 before or if otherwise impractical, immediately after the booking is made, inform:

(a) Campus and Community Planning with respect to facilities in UBC's Vancouver campus; or

(b) the Central Booking Office, with respect to facilities in UBC's Okanagan campus, and

2.3.2 inform the person requesting the booking that additional permits, licenses and approvals may be required.

3. Events, Commercial Activities and Filming / Photography

3.1 At UBC's Vancouver campus. Events, Commercial Activities, and Filming and Photography must comply with all other applicable UBC policies, rules and regulations, including, for example: Land Use Rules adopted by the Board of Governors pursuant to the Land Use Policy, which include Business Licensing; and the Alcohol Policy.

3.2 At UBC's Okanagan campus. Events, Commercial Activities, and Filming and Photography at UBC's Okanagan campus must comply with the bylaws adopted by the Permitting Authority (the City of Kelowna), if any, and any UBC policies, rules and guidelines issued by UBC in respect of such activity.

3.3 Disruption Mitigation. Events, Commercial Activities, and Filming and Photography must not interfere with or impede scheduled Core and Other Academic Activities and must be coordinated with all activities (academic and otherwise) occurring in the affected areas, so as to minimize disruption and, if disruption is inevitable, to mitigate such disruption, including clear and wide prior communications regarding any disruptions, proper traffic and parking control, ensuring access to buildings and facilities, and reasonable noise control.

4. Site License

4.1 Where a license or other written agreement between UBC and the user of Bookable Space permitting the user to use such space for a particular purpose is required, such license or agreement must address the following, as applicable in the circumstances:

4.1.1 term of agreement;
4.1.2 rental charges, and costs (e.g. taxes, utility charges, damage charges, cancellation fees, set-up/clean-up charges & extra services (e.g. AV equipment, furniture, catering); government fees & licenses; etc.);  

4.1.3 cancellation of agreement;  

4.1.4 compliance with all applicable laws relating to the licensee’s use of Bookable Space;  

4.1.5 indemnity in favour of UBC;  

4.1.6 insurance and liability;  

4.1.7 rules concerning signs, posters, advertising, merchandising, etc.;  

4.1.8 use of UBC trademarks and other intellectual property;  

4.1.9 hours covered by agreement;  

4.1.10 liquor regulations;  

4.1.11 security and policing;  

4.1.12 traffic and parking;  

4.1.13 safety and emergency procedures;  

4.1.14 smoking; and  

4.1.15 nuisance and noise.  

4.2 The specific terms of each such license or agreement may vary depending on factors such as the nature, time, length and date of the proposed use.  

5. Specific Booking Priorities  

5.1 From May to August, inclusive, UBC Conferences and Accommodation shall have a higher booking priority than all other uses except Core Academic / Educational Activities for the following spaces:  

5.1.1 all classrooms in the P.A. Woodward Instructional Resources Centre; and  

5.1.2 all General Teaching Space at UBC’s Okanagan campus.  

(for greater certainty, the term “classrooms” includes lecture theatres)
EXPLANATORY NOTES REGARDING THE
SPACE RENTAL POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Space Rental Policy. These Explanatory Notes do not replace or supersede the content of the Space Rental Policy and its Procedures.

Policy Long Title: Booking and Rental of UBC Space

Policy Short Title: Space Rental Policy

Policy Number: UP9

Responsible Executive: Vice-President, Finance-(UBC Vancouver and Operations)
Deputy Vice-Vice-Chancellor and Principal (UBC Okanagan)

Responsible Board Committee: Property Committee

Related Policies:
- GA2 - Regulatory Framework Policy
- SC4 - Environmental Protection Policy
- SC1 - Health and Safety Policy
- SC9 - Alcohol Policy
- SC13 - At-Risk Behaviour Policy
- SC2 - Smoking/Vaping Policy
- UP5 - Equipment/Services Use Policy
- UP12 - Land Use Policy
- UP6 - Trademark Policy
- UP8 - Signage Policy

History:
- The Space Rental Policy was first approved by the Board of Governors in February 1997;
- The Space Rental Policy was revised in February 2015;
- The Space Rental Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Space Rental Policy, its long title is Booking and Rental of UBC Space, and its number is UP9. The previous identification number for this policy was #107.

Related Legislation: N/A
Background & Purposes:

On-campus and off-campus advertising are potentially powerful communication tools that can be used to promote the many and diverse objectives, services, events and products of the University. Inappropriate use of advertising could result in offending communities UBC serves, whether by advertisement content, style, medium or amount or could violate agreements in place with corporate sponsors, contracted vendors and strategic partners.

This policy is intended to:

• describe the criteria and authority for on-campus advertising
• foster off-campus advertising that promotes the objectives of the University
• describe the authority and criteria for approval of advertising

See also the Signage Policy.

1. General

1.1 Authority for on-campus advertising by non-UBC entities must be obtained in writing from the Vice President or Dean responsible for the area where the advertising will occur. If this advertising is University-wide, written permission from the President is needed. This does not include posters/ brochures/signage destined for University notice boards designated for general use or for outdoor kiosks provided for that purpose.

1.2 Decisions by the President, Vice-President- Presidents and Deans about permission for non-UBC entities to advertise are based on the following criteria:

1.2.1 dollar value
1.2.2 impact on the campus
1.2.3 duration of the advertising
1.2.4 location
1.2.5 consistency with UBC’s image and scholarly mission
1.2.6 messages not misleading
1.2.7 style

1.3 The authority for on-campus advertising by UBC units is the Administrative Head of Unit.

1.4 All off-campus advertising about UBC (including, but not limited to TV, radio, newspaper, Website, journal, magazine, stationary, business cards) must have the written authorization of the Administrative Head of the unit generating the advertising.
PROCEDURES ASSOCIATED WITH THE ADVERTISING POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Advertising Policy.

1. Reflecting UBC Values

1.1 Advertising should reflect the values of scholarship and service for which UBC stands, and be appropriate to the specific program, service, event or product that is being advertised. In achieving a balance between units’ needs to raise money and publicize services through advertising and a desire to retain the esthetic integrity and scholarly ambience of the Point Grey campus and other UBC sites, those granting permission should take into consideration many factors, including: advertising location, size, duration, dollar value, consistency with UBC’s image and scholarly mission, messages not misleading, precedence, style and overall impact.

2. Exclusive, Contracted and Preferred Vendors

2.1 UBC has exclusive contracts with certain vendors. To keep the campus informed about exclusive arrangements, the Business Relations arm of External Affairs periodically, and at least annually, circulates to all units a list of exclusive agreements in force.

2.2 UBC also confers “contracted vendor” and “preferred vendor” status on some of its suppliers. In negotiating these vendor agreements, UBC’s goal is to give first right of refusal for advertising to contracted or preferred vendors.

2.3 Because it is vital that agreements for exclusive, contracted or preferred vendors be respected, those authorizing advertising are to confirm the eligibility of the proposed advertiser with the Director of Supply Management and the Manager of Marketing before entering into any agreement. Supply Management can advise departments how to contact contracted or preferred vendors for advertising.

3. Authority to Sign Agreements

3.1 Any advertising agreement for money or “in-kind” consideration is to be finalized in accordance with Signing Resolutions #7 and #9.
4. Joint Advertising with Co-sponsors

4.1 Because joint advertising can be interpreted as UBC’s endorsement of a product or service, permission for the joint display of UBC’s logo or trademark with those of external entities must be received from the Dean or Vice President (or designate) responsible for the area/activity. Collaborative programs with other educational institutions, Open House, the UBC Calendar, and the Chan Centre are examples of events and venues that have in the past received permission to seek sponsors to promote UBC events and activities.

5. Conflict of Interest

5.1 Units selling advertising may not promise to support vendors who purchase advertisements by purchasing goods or services from vendors in return. Purchasing decisions are made in accordance with the Purchasing Policy.

6. Use of Advertising Brokers

6.1 Units may utilize advertising brokers to assist in selling advertising for university publications provided they supervise the work done for:

6.1.1 respecting any exclusive, contracted or preferred vendor agreements in place

6.1.2 setting guidelines as to the appropriateness of certain advertising and certain sponsors

6.1.3 establishing guidelines for the interaction of the broker which is acting on UBC’s behalf and potential advertisers

6.1.4 finalizing advertising contracts only after all advertisements have been vetted by the UBC Administrative Head of Unit or designate.

7. Pre-approval of all advertisements before publication/airing

7.1 At issue is UBC’s reputation, and under all circumstances, ads should be reviewed before publication, in whatever medium, by the Administrative Head of Unit or designate.

8. Pre-approval for use of personal information

8.1 When UBC advertisements are designed to contain the name, photograph (where the individual is identifiable), or direct quotations of a person, it is advisable to have the person sign a consent form. A sample consent form is attached to this policy.

9. Definition

9.1 An Administrative Head of Unit is a Director of a service unit, a Head of an academic department, a Director of a centre, institute or school, a Principal of a college, a Dean, an Associate Vice President, the Vice Provost, the Registrar, the University Librarian, a Vice President or the President.
Sample Consent Form

The University of British Columbia

Consent Form

For good and valuable consideration, the amount and sufficiency which is hereby acknowledged, I consent and authorize The University of British Columbia and its employees and agents

• to take still pictures, motion pictures, sound recordings, and/or video recordings of me (collectively, the “materials”)
• to use and adapt such materials in its educational programs and/or in promoting UBC programs or activities at any time or place and in any medium in the future

I agree to indemnify, hold harmless and release UBC, its Board of Governors, employees and agents from any and all claims arising from such material.

All such still pictures, motion pictures, sound recordings and/or video recordings become the property of UBC. I agree to assign my copyright, including performers rights, in the materials to UBC. I agree to waive all moral rights I may have in the material in favour of UBC in perpetuity.

Signed at: ______________________________ this ___ day of __________.

Witness

Signature: __________________________
Name (print): __________________________
Address: __________________________
__________________________
EXPLANATORY NOTES REGARDING THE ADVERTISING POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Advertising Policy. These Explanatory Notes do not replace or supersede the content of the Advertising Policy and its Procedures.

Policy Long Title: Advertising

Policy Short Title: Advertising Policy

Policy Number: UP10

Responsible Executive: Vice-President, External and Legal Affairs Relations

Responsible Board Committee: People, Community & International Committee

Related Policies: GA2 - Regulatory Framework Policy
UP8 - Signage Policy
FM2 - Purchasing Policy

History:
- The Advertising Policy was first approved by the Board of Governors in December 1997;
- The Advertising Policy was updated in July 2019 to reflect a new policy identification system; it is currently identified as the Advertising Policy, its long title is Advertising, and its number is UP10. The previous identification number for this policy was #112.

Related Legislation: N/A
Museums and galleries evolved in Western societies as places to maintain collections over long periods of time and to engage in knowledge creation. These collections show the physical, historic, aesthetic and conceptual achievements of humankind, and document the natural world. Objects in museum and gallery collections are also part of the intellectual and cultural heritage of their originating communities.

Generally, where a museum or gallery has acquired legal title to a collection, there is presumption against deaccessioning. However, there are circumstances when deaccessioning for purposes of repatriation may be appropriate, and circumstances when deaccessioning may strengthen a collection by refining and improving its quality.

1. General

1.1 This policy sets out the circumstances, conditions and protocol for disposing of works in the Morris and Helen Belkin Art Gallery, the University Library, and the Museum of Anthropology.

1.2 Deaccessioning may occur:

1.2.1 where a work has been acquired in violation of Canadian law or international treaties binding upon the Government of Canada;

1.2.2 where the University’s ownership of a work has been successfully challenged at law;

1.2.3 at the Museum of Anthropology, when repatriation is deemed appropriate in accordance with the Procedures;

1.2.4 where a work has deteriorated to the point that it cannot be used for exhibition or study;

1.2.5 for the Morris and Helen Belkin Art Gallery or University Library only, where only a fraction of the work remains in the original condition;
1.2.6 where the work is determined to be a forgery, unless useful for research, teaching or exhibition;

1.2.7 where the work is an exact duplicate (such as identical impressions of the same state of a print or a photograph) of another work in the University’s collection;

1.2.8 where the University has the permission of the donor to sell, exchange, or otherwise dispose of the work that was donated;

1.2.9 in order to upgrade the representation of a particular artist(s) by deaccessioning one work for the trade or purchase of other work(s) by the same artist(s);

1.2.10 to divest the collection of works which do not support the scope of the collection and, for the Morris and Helen Belkin Art Gallery only, works of demonstrably inferior quality, providing the academic integrity of the collection is not disrupted; and

1.2.11 where adhering to the terms of acquisition is impossible or impracticable or detrimental to the University.

1.3 Notwithstanding the foregoing, unless the work was obtained illegally, where the work or cultural material is a gift or bequest, deaccessioning will not occur:

1.3.1 where the deaccession would violate the terms of an agreement between the University and the donor; or

1.3.2 where the deaccession would have adverse tax consequences for the donor and the University.

1.4 Proceeds from deaccessioning can only be used for acquisitions and not for any other purpose.

2. Definitions

2.1 Works means works of art, cultural artifacts, and cultural materials.

2.2 Repatriation means the transfer of legal title to a work from the University’s collection to its former owner or descendants of its former owner, defined broadly.

2.3 Deaccessioning means permanently removing a work from the University’s collections.
PROCEDURES ASSOCIATED WITH THE DEACCESSIONING POLICY

Pursuant to the Regulatory Framework Policy, the President may approve Procedures or the amendment or repeal of Procedures. Such approvals must be reported at the next meeting of the UBC Board of Governors or as soon thereafter as practicable.

Capitalized terms used in these Procedures that are not otherwise defined herein shall have the meanings given to such terms in the accompanying Policy, being the Deaccessioning Policy.

1. Authorization for Deaccessioning

1.1 Deaccessioning of works may only be authorized as follows:

1.1.1 In the case of works in the Morris and Helen Belkin Art Gallery, the Provost's Committee on University Art may recommend deaccessioning to the Director of the Belkin Art Gallery who, if in agreement, may forward such recommendation to the Responsible ExecutiveVice-President, Academic and Provost.

1.1.2 In the case of works in the University Library, the applicable Senate Library Committee may recommend deaccessioning to the University Librarian who, if in agreement, may forward such recommendation to the Responsible ExecutiveVice-President, Academic and Provost.

1.1.3 In the case of works in the Museum of Anthropology, the internal committees of the Museum of Anthropology may recommend deaccessioning to the Director of the Museum of Anthropology who, if in agreement and after ensuring that the proposed deaccessioning is in accordance with the Museum of Anthropology Professional Guidelines, may forward such recommendation to the Responsible ExecutiveVice-President, Academic and Provost.

1.1.4 Any recommendation that is sent to the Vice-President, Academic and Provost in favour of deaccessioning a work must indicate that the interests of the public, the scholarly community (especially, in the case of the Museum of Anthropology, the Department of Anthropology and Sociology and the Department of Classical, Near Eastern and Religious Studies), and the cultural community (including the needs of that community in the Vancouver region) have been carefully considered in view of the University’s mission statement and that, if the work was donated to the University, any terms associated with the gift have been addressed. Any such recommendation should also indicate that all reasonable alternatives to deaccessioning have been carefully considered.
1.1.5 Where the work(s) that are the subject of such a recommendation has/have a total value of not more than $100,000 and its/their disposition is not, in the opinion of the Responsible Executive Vice-President, Academic and Provost, sensitive or precedent-setting, the Responsible Executive Vice-President, Academic and Provost may authorize the deaccessioning as recommended to him or her or on such other basis as he or she sees fit. In making a decision in favour of deaccessioning, the Responsible Executive Vice-President, Academic and Provost must be satisfied that the interests identified in the preceding paragraph have been carefully considered and appropriately dealt with.

1.1.6 Where the work(s) that are the subject of such a recommendation has/have a total value exceeding $100,000 or its/their disposition is, in the opinion of the Responsible Executive Vice-President, Academic and Provost, sensitive or precedent-setting, the Responsible Executive Vice-President, Academic and Provost may forward the recommendation to the Board of Governors for authorization on the terms as recommended to him or her or on such other terms as he or she sees fit.

2. Method of Disposition

2.1 A deaccessioned work may be disposed of by:

2.1.1 returning it to its legal owner;

2.1.2 repatriation;

2.1.3 transferring it to another institution where the work is deemed to be more appropriate;

2.1.4 exchanging it for more appropriate examples in the same category;

2.1.5 destroying it, but only as a last resort and, at the Museum of Anthropology, according to the Museum of Anthropology Professional Guidelines;

2.1.6 selling it, with the proceeds going to acquisitions only.

3. Documentation

3.1 Documentation of deaccessioned works will be kept current, standardized, and systematized and in accordance with the Freedom of Information and Protection of Privacy Act. Annually, a report will be presented to the Board of Governors on works that have been deaccessioned by repatriation.

4. Recommendations regarding Repatriation at the Museum of Anthropology

4.1 Applications for repatriation of works in the Museum of Anthropology must be made in writing to the Director of the Museum of Anthropology. Applications must clearly identify the group or the individual making the claim and the work(s) for which repatriation is sought and must clearly state the reasons supporting the application. Applications for repatriation will be acknowledged by the Director and referred by him/her to the Museum of Anthropology internal Repatriation
Committee for investigation. The Repatriation Committee is comprised of persons appointed by the Director of the Museum of Anthropology.

4.2 The Museum of Anthropology will consider applications for repatriation on a case-by-case basis and undertake research to obtain relevant information. Relevant information will usually include the circumstances under which the work was acquired by the Museum of Anthropology and, if applicable, by previous owner(s) and/or collector(s). The Museum of Anthropology will consider evidence such as oral and written testimonies, archival sources, and scholarly reports.

4.3 Repatriation requests are considered confidential between the requestors and the Museum until settled, and the repatriation process should reflect this.

4.4 However, where the Museum of Anthropology is informed that other parties (including both groups and individuals) may have an interest in the application or may have information relevant to its consideration of the application, the Museum of Anthropology may notify those parties of the application and seek the advice and/or participation of those parties in the research process.

4.5 Also, the Museum of Anthropology may, especially if research reveals a reasonable possibility of conflicting claims, advertise or take other steps to provide potentially interested parties with an opportunity to respond to the application and, if appropriate, to be consulted as part of the research process.

4.6 In the event that conflicting claims for repatriation are made, the Museum of Anthropology will inform the conflicting parties that the conflict exists and will defer any decisions with regard to repatriation until the conflict is resolved by those parties. Provided that no conflicting claims for repatriation remain outstanding, the Museum of Anthropology will review the information submitted by the applicant, together with the relevant records of the Museum of Anthropology and all information received from other parties. Relevant records of the Museum of Anthropology will be made available to the applicant in accordance with the Freedom of Information and Protection of Privacy Act.

4.7 Once the Museum of Anthropology is satisfied that it has obtained the information necessary to make a recommendation, the Repatriation Committee will evaluate the information and make a recommendation to the Director of the Museum of Anthropology. In making its recommendation, the Repatriation Committee should consider:

4.7.1 the Museum of Anthropology Professional Guidelines 2003 or as subsequently amended;

4.7.2 the Canadian Museums Association Ethical Guidelines 1999 or as subsequently amended;

4.7.3 the Assembly of First Nations and Canadian Museums Association Task Force Report on Museums and First Peoples 1992;

4.7.4 The Royal Commission on Aboriginal Peoples, Government of Canada, 1996;
4.7.5 Canadian law; and

4.7.6 international agreements signed by Canada.

4.8 Generally, the Repatriation Committee will consider there to be a presumption in favour of recommending repatriation where the work:

4.8.1 was removed from a community or individual illegally;

4.8.2 was directly associated with burials linked to the applicant;

4.8.3 can be linked to the applicant and was employed in traditional healing; or

4.8.4 is necessary for on-going ceremonial practice and there is no cultural precedent for another object to be used in its place.

4.9 To complete the legal transfer involved in repatriation, the recipient must sign a notarized statement to the effect that s/he is or represents the legal and rightful owner(s) of the work and that there are no competing claimants and the recipient must provide the University with a satisfactory indemnity against any claims that may arise as a result of the repatriation.

4.10 In cases where a request for repatriation is not granted, the Museum of Anthropology may offer:

4.10.1 special access to the work for the applicant;

4.10.2 the loan of the work to the applicant;

4.10.3 the exhibition of the work in a manner that is responsive to the interests of the applicant;

4.10.4 the replication of the work by or for the applicant, if culturally appropriate;

4.10.5 changes to the manner in which the work is stored and/or displayed to respond to the interests of the applicant; and

4.10.6 the opportunity for co-management of the work.
EXPLANATORY NOTES REGARDING THE DEACCESSIONING POLICY AND ASSOCIATED PROCEDURES

Issued July 2019 by the Office of the University Counsel

The OUC has prepared these Explanatory Notes to provide context and background regarding the Deaccessioning Policy. These Explanatory Notes do not replace or supersede the content of the Deaccessioning Policy and its Procedures.

Policy Long Title: Deaccession of Works of Art and/or Cultural Materials for the Morris and Helen Belkin Art Gallery, the University Library, and the Museum of Anthropology

Policy Short Title: Deaccessioning Policy

Policy Number: UP11

Responsible Executive: Provost and Vice-President, Academic (UBC Vancouver)

Responsible Board Committee: Learning & Research Committee

Related Policies: GA2 - Regulatory Framework Policy

History:
- The Deaccessioning Policy was first approved by the Board of Governors in March 2000;
- The Deaccessioning Policy was revised in May 2004;
- The Deaccessioning Policy was updated in July 2019 to reflect a new Policy identification system; it is currently identified as the Deaccessioning Policy, its long title is Deaccession of Works of Art and/or Cultural Materials for the Morris and Helen Belkin Art Gallery, the University Library, and the Museum of Anthropology, and its number is UP11. The previous identification number for this policy was #128.